Station Form	Numbers To	Bearings	Distances in links
163	164	291.5	914
164	165	297.5	623
165	166	301	283
166	167	31.5	845
167	168	276	851
168	169	10	112
169	170	74	488
170	171	89 5	632
171	172	185.5	105
172	173	111	413
173	174	57.5	961
174	175	356	827
175	176	312.5	233
176	177	44	843
177	178	56	519
178	179	155	824
179	180	72	441
180	181	138	500
181	182	133.5	183
182	183	129	3 2
183	184	211.5	384
184	185	232	42
185	186	265.5	392
186	187	240	375
187	188	243	247
188	1	214	395
1	2	11	319
2	3	122	365
3	4	88	348
4	5	81.5	204
5	6	119	241
6	7	120	221
7	8	151	482
8	9	69	264
9	10	56	436
10	11	18	910
11	12	85	215
12	13	19	318
13	14	72 5	2 6
14	15	83 5	228
15	16	80	551
16	17	65 5	415
17	18	8.5	120
18	19	3	222

Station From	Numbers To	Bearings	Distances in links
19	20	16.5	505
20	21	135.5	508
21	22	96	320
22	23	63	147
23	24	110	260
24	25	158	330
25	26	92	435
26	27	40	230
27	28	48	228

East.—From station No. 28, the line which is in Peruvaje Village runs due South-East to a distance of 325 links to station No. 29 and then due South to a distance of 502 links to station No. 30, wherefrom it turns due South-West to a distance of 1413 links to station No. 34 and turns due East to a distance of 430 links to station No. 35, and again due South-East to a distance of 609 links to station No. 37. From this station, the line runs due South-West to a distance of 509 links to station No. 38 and then turns due North-West to a distance of 742 links to station No. 40. Then the line runs due South-West to a distance of 532 links to station No. 41 wherefrom it runs due South-East to a distance of 2978 links to station No. 52 and then due South-West to a distance of 305 links to station No. 53. The line again goes towards South-East to a distance of 270 links to station No. 54 and then due North-East to a distance of 234 links to station No. 55. From this station, the line runs due South to a distance of 780 links to station No. 57. At station No. 56 the line meets the village boundary line. From station No. 57 the line runs due South-West to a distance of 392 links to station No. 58 and then due West to a distance of 362 links to station No. 59, where it meets again the Puttur-Bellare road.

The Bearings and distances from station to station are furnished below :—

Station From	Numbers To	Bearings	Distances in links
28	29	109	325
29	30	167.5	502
30	31	228	382
31	32	246	318
32	33	270	510
33	34	150	203
34	35	89	430
35	36	123	352

Station From	Numbers To	Bearings	Distances in links
36	37	158.5	257
37	38	230.5	509
38	39	310	4 9
39	40	303	253
40	41	240	532
41	42	161	325
42	43	109 5	280
43	44	138-5	351
44	45	17 .5	214
45	46	1 2 5	286
46	47	101.5	210
47	48	124	1 0
48	49	111.5	209
49	50	164 5	178
50	51	114	370
51	52	153	393
52	53	201.5	305
53	54	143	270
54	55	69 5	234
55	56	168 5	505
56	57	186	275
57	58	235 5	392
58	59	2-0 5	361

South.—From station No. 59, where also the line meets the road, the line runs due South-West and along the road to a distance of 2212 links and meets the station No. 61. Then the line leaves the road and runs due North-East to a distance of 410 links to station No. 64 and then due West to a distance of 1211 links to station No. 66, and again runs due South to a distance of 402 links to station No. 67. From here the line runs again along the road to a distance of 529 links to station No. 69 wherefrom it leaves the road and runs due North to a distance of 7 01 nks to station No. 70 and again turns due West to a distance of 750 links to station No. 71 and then South to a distance of 550 links to station No. 72 From here the line runs along the road to a distance of 565 links to station No. 73 from which place and road runs due West and the line due South-West to a distance of 907 links to station No. 75. The boundary line now runs due South-West to a distance of 2,620 links across station No. 81 and then due south to a distance of 505 links to station No. 86 then due West to a distance of 563 links to station No 87 and then to a short distance of 293 links then runs due North to station No 88 and then turns due South-West to a distance of 872 links to station No 91. From this station the line runs due South-West to a distance of 343 links to station No. 93 and then due South-West to a

distance of 510 links to station No 94 then again due North-West to a distance of 182 links to station No. 95 wherefrom it runs due South-West to a distance of 1,053 links to station No. 99. Then the line runs due North-West to a distance of 1,486 links upto station No. 105 and then it runs due South-West to a distance of 157 links to station No. 108 and then due West to a distance of 442 links to station No. 107.

The bearings and distances from station to station are furnished below :—

Station Numbers From	To	Bearings	Distances in links
59	60	314.5	317
60	61	306	866
61	62	289	690
62	63	296.5	369
63	64	44	440
64	65	307.	610
65	66	292.5	601
66	67	201	402
67	68	281.5	294
68	69	308.5	235
69	70	55	750
70	71	302	750
71	72	240	550
72	73	302	665
73	74	229.5	634
74	75	241	273
75	76	280.5	348
76	77	260	614
77	78	245	140
78	79	276	190
79	80	266	140
80	81	291	273
81	82	239.5	256
82	83	245	329
83	84	243	195
84	85	203	298
85	86	196	140
86	87	264	315
87	88	311.5	282
88	89	214.5	357
89	90	228.5	267
90	91	187.5	218
91	92	140.5	323
92	93	259.5	105
93	94	251	406

Station From	Numbers To	Readings	Distances in links
94	95	302.5	182
95	96	255	216
96	97	216	164
97	98	232	267
98	99	246 5	406
99	100	323	270
100	101	283	286
101	102	283 5	184
102	103	256 5	311
103	104	331	313
104	105	293.5	122
105	106	208	157
106	107	261	442

East :—Starting from station No. 107, the line runs due North-West to a distance of 1169 links upto station No. 111 then it runs due South-West to a distance of 253 links to station No. 112 and then due North-West to a distance of 631 links to station No. 113 and then due North-East to a distance of 448 links to station No. 115 From this station No. 116 which returns it runs due South-West to a distance of 95 links to station No. 117 and then turns due West to a distance of 552 links upto station No 119. Now the line changes its course and runs due North-West to a distance of 470 links to station No. 120. hence runs due North East to a distance of 631 links a station No. 122 then again runs due North-East to a distance of 774 links to station No. 1 3. From this station the line runs due South West to a distance of 1058 links to station 125 where from it runs due North-West to a distance of 135 links to station No 1 6 and then runs due North-East to a distance of 428 links to station No. 127 and then runs due North-West to a distance of 402 links to station No 128 and again it runs due South-West to a distance of 478 links to station No. 129 and then runs due North-West to a distance of 105 links to station No. 30 and then turns due North-East to a distance of 313 links to station No. 131, then it runs due East to a distance of 510 links to station No. 132 and finally runs due North-East to a distance of 167 links to station No. 133.

The bearings and distances from station to station are furnished below :—

Station Numbers		Bearings	Distances in links
From.	To		
107	108	323.5	298
108	109	323	184
109	110	330.5	273
110	111	351	414
111	112	270	153
112	113	322 5	534
113	114	30	138
114	115	30	504
115	116	307	294
116	117	231	95
117	118	262.5	314
118	119	312	470
119	120	42	228
120	121	66.5	403
121	122	13	774
122	123	250.5	774
123	124	223.5	354
125	126	315	185
126	127	78.5	498
127	128	325	401
128	129	321	478
129	130	303.5	605
130	131	358.5	313
131	132	71	590
132	133	6.5	187

Description of the Boundary line :—The road leading from Puttur to Bellare enters the plantation between 6/2 and 6/3 mile stone and runs almost in the middle of the plantation till it reaches station No. 73 wherefrom the boundary line deviates and the road forms the southern boundary of the plantation and till its end. The villages each have their boundary line laid out on ground. There are some wooded areas inside, which are excluded from planting. The area is a barren hillock with admixture of scrub timber growth here and there. The soil is a gravelly one well suited for cashew plantation, hence selected for raising cashew plantation.

Right of way :—(1) The road from Puttur to Bellare has to be kept open for public use.

Other Rights :—

(1) Free grazing of cattle by villagers.

(2) Free removal of green manure leaves for *bona fide* use by the villagers.

(3) Free removal of dry fuel for *bona fide* use.

(4) Free removal of thatch grass.

[No. AFD 101 FAF 67.]

By Order and in the name of the Governor of Mysore,

M. A. MECCAI, *Under Secretary*.

Food, Civil Supplies and Labour Secretariat

ORDER

Bangalore, dated the 30th October 1967.

S. O. 2095.—Whereas the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Bharat Beedi Works, Mangalore on the points noted below;

And whereas the Government of Mysore consider it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (*c*) of sub section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Hubli.

Points of Dispute.

"Is the Management of M/s. Bharath Beedi Works, Mangalore, justified in refusing employment of Shri K. Srinivasa Rao, Driver ?

If not, whether the workman is entitled for reinstatement with back wages ?

If not, to what other relief is the workmen entitled ?"

[No. FCL 493 LLD 67.]

By Order and in the name of the Governor of Mysore,

1374 G. G. Purohit, *Under Secy.*

DEVELOPMENT, HOUSING, PANCHAYATI RAJ AND CO-OPERATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated 30th October 1967.

S. O. 2096.—WHEREAS by Government Notification, Revenue Department No. 2380/45, dated the 30th January 1948 issued under sub-section (1) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of gur, cotton (ginned and unginned) and groundnut (shelled and unshelled) in the area of Gokak Taluk of Belgaum District and declared it to be a market area;

AND WHEREAS by Government Notification Development Department No. PMA 4150, dated the 14th December 1950, issued under sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased regulate the purchase and sale of Tur and safflower in addition to gur, cotton (ginned and unginned) and ground nut (shelled and unshelled) in the said Market area;

AND WHEREAS by Government Notification Development Department No. ADM 8854, dated the 26th March 1955 issued under sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of Jowar, wheat, bajri and chillies in addition to gur, cotton (ginned and unginned) ground nut (shelled and unshelled), tur, and safflower in the said Market area;

AND WHEREAS by Government Notification No. DPC 135 CMD 67, dated the 5th July 1967, issued under sub-section (4) of the Section 4 of the Bombay Agricultural

Produce Markets Act, 1939 (Bombay Act XXII of 1939), as in force in the Bombay area, the Government of Mysore declared intention to regulate the purchase and sale of onions and maize also in addition to gur, cotton (ginned and ungirned), ground nut (shelled and unshelled), tur, safflower, jowar, wheat, bajri and chillies in the said Mark t area;

Now, THEREFORE, in exercise of the powers conferred by sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Mysore, hereby direct that with effect from 16th November 1967 the said area shall be a market area for the purposes of the said Act in respect of onions and msize in addition to gur, cotton (ginned and unginned), ground nut (shelled and unshelled), tur, safflower, jowar, wheat, bajri and chillies in the said Market area.

[No. DPC 135 CMD 67.]

By Order and in the name of the Governor of Mysore,

1367 S. V. PRABHU, *Under Secy.*

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION.

Bangalore, dated 25th October 1967.

S. O. 2097.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Puttur Taluk of South Kanara District, the situation and limits of which are specified in the Schedule hereto annexed, as reserved forest;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of the said Section; and

(iii) appoints the Divisional Forest Officer, Mangalore to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE

Name of the District	...	South Kanara
Name of the Taluk	...	Puttur
Survey Field Nos.	...	4/1
Extent	...	171.10 acres
Name of the Block	...	Bajathur Block II

Boundary description.

North.—Starting from the North-Western corner of the cairn of 1963 cashew plantation of Bajathur village, the boundary line runs in the South-Eastern direction to station No. 2 passing through the intermediate station No. 1 to a distance of 1087 links. From there it runs in the South-Western direction to station No. 4 passing through the intermediate station No. 3 to a distance of 978 links Thence the boundary line runs in the South-Eastern direction to station No 6 passing through the intermediate station 5 to a distance of 1048 links. From that point the boundary line of the block runs in the South-Western direction to station No. 8 at a distance of 632 links, passing through the intermediate station No. 7. From there the line runs in South-Eastern direction to reach the station No. 11 passing through the intermediate station No. 9 and 10 at a distance of 1148 links. Thence it runs in North-East direction to a distance of 630 links to reach station No. 12. From there it runs in the South-Eastern direction to station No. 15, passing through intermediate station 13 and 14 to a distance of 1943 links. Thence the line runs in the North-Eastern directions to a distance of 1240 links to reach station No. 16. Thence it runs in the South-Eastern direction to a distance of 1066 links to join station No. 17. Thence it runs in the North-Eastern direction to a distance of 427 links to join station No. 18. From there it runs in the South-Eastern direction to a distance of 412 links to join station No. 19. The bearing and distance from station to station are as follows:—

Station Numbers		Bearings in degrees in F. B.	Distances in links
From	To		
1	2	3	4
0	1	99.30°	913
1	2	157°	273
2	3	222°	308
3	4	220.30°	610

1	2	3	4
4	5	171°	490
5	6	136·30°	558
6	7	262	369
7	8	230°	313
8	9	145°	529
9	9A	122·30°	272
9A	10	125·30°	254
10	11	58·30°	293
11	12	87°	630
12	13	114°	614
13	14	103°	753
14	15	92·30°	576
15	16	86°	1240
16	17	48°	1066
17	18	82°	427
18	19	127·30°	412

East—Thence the boundary line of the block runs in the South-Western direction to a distance of 3164 links to join station No. 24 passing through the intermediate stations from 19A to 23. From there it runs in South-Eastern direction to a distance of 821 links to join station No. 26 passing through intermediate stations 25 and 25A. From there it runs in the North-Eastern direction to a distance of 637 links to join station No. 27A passing through intermediate station 26A and 27, and from there it runs exactly in Eastern direction to a distance of 171 links to join station No. 28. From there it runs in the South-Eastern direction to a distance of 2·0 links to join station No. 29. From there it runs in the South-Western direction to a distance of 2523 links to join station No. 36 passing through intermediate stations Nos. 30 to 35. The bearings and distance from station to station are as follows :—

1	2	3	4
19	19A	241·30°	200
19A	20	240·30°	573
20	21	2 8	842
21	22	216	459
22	23	2·0	668
23	24	181·30°	422

1	2	3	4
24	25	153	430
25	25A	109.30°	162
25A	26	16.30°	212
26	26A	59.30°	173
26A	27	64.30°	174
27	27A	68	290
27A	28	90	171
28	29	120	290
29	30	240.30°	278
30	31	251.30°	279
31	32	258.30°	410
32	33	235	240
33	34	201	552
34	35	207.30°	250
35	36	213.30°	619

South—The boundary line runs in the North-West direction to a distance of 650 links to join station No. 37 passing through intermediate station from 36A. From there it runs in the Northern direction to a distance of 517 links to join station No. 38. From there it runs in South-Western direction to a distance of 190 links to join station No. 39. From there it runs in the North-Eastern direction to a distance of 623 links to reach the station No. 40 and from there it runs in North-Western direction to a distance of 185 links to join station No. 41. Thence it runs in the South-Western direction to a distance of 847 links to reach station No. 42 passing through intermediate stations 41A to 41B. Thence it runs in North-Western direction to a distance of 1148 links to join station No. 44 passing through the intermediate station from 43. Thence the boundary line runs in the South-Western direction to a distance of 1114 links to join the station No. 46 passing through intermediate stations from 45 and 45A. Thence it runs in the north-western direction to a distance of 530 links to reach station No. 48 passing through intermediate stations from 46A and 47. Thence it runs in the South-Western direction to a distance of 1796 links to reach station No. 51A passing through intermediate stations 49 to 51. Thence

it runs in North-Western direction to a distances of 128 links to join station No. 52. The bearings and distance from station to station are as follows:—

Station Numbers From	To	Bearings in degrees in F.B.	Distances in links
36	36A	312	482
36A	37	317.30°	164
37	38	2	517
38	39	255	190
39	40	41	623
40	41	332	1·5
41	41A	224.30°	344
41A	41B	248	228
41B	42	263	275
42	43	294	649
43	44	290	500
44	45	195	600
45	45A	200	374
45A	46	207	140
46	46A	286.30°	154
46A	47	2·0	150
47	48	294.30°	326
48	49	244	349
49	49A	233.30°	259
49A	50	227.30°	195
50	51	260	350
51	51A	274.30°	573
51A	52	287	128

West—Thence the boundary line of the block runs in the North-Eastern direction a distance of 2600 links to join station No. 59 passing through intermediate stations 52 to 58. Thence it runs in the North-Western direction to a distance of 1216 links to join station 62 passing through intermediate station 61. Thence it runs in the North-Eastern direction to a distance of 266 links to join station No. 63 passing through intermediate station No. 62A and thence it runs in the North-Western direction to a distance of 212 links to join station 63A. Thence it runs in the North-Eastern direction to a distance of 455 links to join station No. 65 passing through intermediate station from

64. Thence it runs in North-Western direction to a distance of 763 links to join station No. 67 passing through intermediate stations 66 and 66A. Thence it runs in the North-Eastern direction to a distance of 559 links to join station No. 69 passing through an intermediate station from 68. Thence the boundary line runs in the Northern direction to a distance of 483 links to join station No. 69A and thence it runs in the North-Eastern direction to a distance of 1016 links to join station No. 0 passing through the intermediate stations from 69 B to 6 C.

The bearings and distance from station to station are as follows:—

1	2	3	4
52	53	27	331
53	54	19	437
54	54A	11.30°	163
54A	55	18	3.9
55	56	23.30°	306
56	57	22.30°	460
57	57A	19	2.9
57A	58	29.30°	142
58	59	22.30°	183
59	59A	310.30°	444
59A	60	303	68
60	61	307.30°	453
61	62	315	201
62	62A	37	145
62A	63	32.50°	121
63	63A	351.30°	212
63A	64	47.30°	238
64	65	54	227
65	66	333	251
66	66	326.30°	351
66A	67A	333	161
67	68	9.30°	136
68	69	24	428
69	69	359	483
69A	69B	81	409
69B	69C	34	603
69C	0	32	104

Enclosure : Starting from the station No. 54 of Bajathur Block a tie line is drawn South-Eastern direction at a distance of 40+ links to reach the station No. 1 of the enclosure. Then the survey line runs to North-East direction to station No. 2 at a distance of 544 links. From here the line turns South-Eastern direction over a distance of 300 links to station No. 3. Thence it runs Southern direction at a distance of 741 links to station No. 4 passing through the intermediate station No. 3A. Then the line runs North-West direction to the station No 1, at a distance of 596 links. Thence the traverse closes. The bearings and distance from station to station are as follows :—

1	2	3	4
51	1	109°	409
1	2	25	544
2	3	108	300
3	3A	185	488
3A	4	177½	253
4	1	304½	596

Other Rights :

1. Free grazing of cattle by villagers inside the block.

2. Free removal of green manure leaves for the *bona fide* use by the ryots.

3. Free removal of dry fuel for the *bona fide* use by the villagers.

4. Free removal of Muligrass for the *bona fide* use by the ryots.

[No. AFD 48 FAF 67.]

By Order and in the name of the Governor of Mysore,

M. A. MECCAI, *Under Secy.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated 30th October 1967.

S. O. 2`98.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the Municipal Arts College, Lakshmeshwar to the Karnatak University for teaching Pre-University Arts and B.A., Part I Courses for a period of one yeat from June 1967 subject to the conditions laid down by the Karnatak University as also to the condition that the management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year about its financial position.

[No. ED 99 UAC 67.]

By Order and in the name of the Governor of Mysore,

1378 S. N. Sreenath, *Under Secretary.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Voltas, Ltd., 21. Kasturba Road, Bangalore-1

Award of the Additional Industrial Tribunal, Bangalore—Published.

Read the following papers :—

(1) Letter No. I. T No. 597-S/67-68, dated 17th October 1967 from Shri V. C. Ramachandran Presiding Officer, Additional Industrial Tribunal, Bangalore.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL, BANGALORE.

Dated this 11th October 1967.

Present :

Sri V. C. Ramachandran, B.A., B.SC., (London) Bar-at-Law,
... Presiding Officer

A.I.D. No. 31 of 1966

I Party.	*vs*	*II Party.*
Workmen of Voltas. Ltd., 21, Kasturba Road, Bangalore-1.		Management of Voltas, Ltd., 21, Kasturiba Road, Bangalore-21

Appearances.

For the I Party.—Sri K. P. Sachindranath, Trade Unionist.

For the II Party:—Sri V. L. Narasimha Murthy, Advocate, Bangalore.

Reference

Government Order No. PLM 486 LLD 65, Bangalore, dated 25th November 1965.

AWARD.

This is a Reference by the Government of Mysore of an industrial Dispute between the Workmen and the Management of Voltas, Ltd., 21, Kasturba Road, Bangalore-1, under section 10 (1) (d) of the Industrial Disputes Act, 1947, made by their Order

No PLM 486 LLD 65. dated 25th November 1965 This Reference was transferred from the file of the Industrial Tribunal, Bangalore, to this Additional Industrial Tribunal, by an Order N. LMA 525 LLE 66, dated 17th December 1966, and it was registered as A. I D. No 31 of 1966. There are as many as 16 demands made by the I Party workmen which have been referred to this tribunal for adjudication. The points of dispute referred are as per Annexure "A" to this award.

2. The II Party Company M/s Voltas, Ltd, which will hereafter be referred to as the Company, came into existence in the year 1954 as a result of collaboration between a Swis Firm known as M/s Volkart Brothers, and the Indian Company M/s. Tata & Sons, Ltd. It has its Head Office at Bombay and Branches in various places and one at Bangalore, with which we are concerned The main activity of the company so far as this Bangalore Branch is concerned, is the sale and servicing of the various Engineering products such as Electrical equipment, mining equipment, agricultural machinery and implements, Air conditioning and Refrigeration machinery, materials handling equipment etc. The manufacturing side of this Company is situated elsewhere at Thana and Chinchpokli. The workmen contend that the Company has been doing very good business as distributors of Engineering goods and also of Pharmaceuticals articles It is in fact the sole distributor of certain Engineering commodities as well as pharmaceutical products The company has been expending its activities to meet the growing demands for its various products in this country and in order to further its business it has opened branches in various places and the Regional office in Bangalore was opened in 1956. The Branch at Bangalore has been steadily increasing its turnover, gross profits and net profits year by year and due to the efforts of the workmen the company has built huge reserves and increased the quantum of dividends. It is therefore in a position to meet the demands and its financial capacity remains undisputed.

3. The workmen submit that they are entitled to a share in the prosperity of the company and under the Socialistic pattern of Society, they should be given a fair wage which will enable them to meet their needs in life. They submit that there has been a change in the circumstances justifying a revision in the wage scales and although a living wage is at present unattainable, they are certainly entitled to atleast a fair wage which is in keeping with the modern trend towards the establishment of a welfare

state. The minimum wage for a working class at the cost of living index of 399 at Bombay has been found to be about Rs 118/- for a family of 4 consumption units. The cost of living index has risen to about 690 and therefore the wage structure has to be revised on the basis of prices prevailing to-day.

4. The I Party Union was founded in the year 1957 to protect and promote the interest of the workmen. In the year 1953 a Settlement was reached with regard to the various demands put up by the Union between them and the management, and that settlement expired in 1960 Soon after another charter of demands was made by the Union in the year 1961 and after protracted negotiations for about 1½ years another settlement was reached in 1963 which again expired in 1964. The Union made demands again on 11th January 1965, but they were not conceded by the management and after prolonged discussion the chapter of demands was referred to the tribunal by the Government of Mysore under Sec. 10 (2) of the Industrial Disputes Act, 1947.

5. The I Party contends that in view of the high prices prevailing they are entitled to proper wages in commensurate with the rise in the cost of living. The D. A paid by the Company does not fully neutralise the constant rise in cost of living. The workmen had been deprived of the weightage irrespective of the seniority, and the wage structure when compared to their counter parts in Bombay and other places, is very low although Bangalore is the costliest city in this country. The Company has standardised the scales of pay for some of its employees on an All India basis while they refused to do the same in the case of the workmen at Bangalore. There is a wide gap existing between the scales of pay prevailing at Bombay, Cacutta Delhi and Bangalore, and the workmen contained that as the nature of work is the same all over India, and the company has a uniform price policy throughout the country there should be uniform wage scales.

6. The first demand is for abolition of the existing designations and introduction of three scales for the Clerical staff They ask for higher start for Stenographers, Draftsmen, Salesmen, Technical Assistants and erectors, together with allowances The 2nd demand is for reclassification and adjustments as no weightage has been given at the time of the settlement in 1959. The next demand is for full neutralisation of the rise in the cost of living with effect from 1st October 1964. They further state that the

working hours should be reduced and that the discrimination between the employees in the office and the employees in Golowa and Service station who work for 43 hours a week should be abolished. The workmen submit that 35 hours a week should be fixed as a maximum for the entire establishment. They want that over-time should be paid at double the rate over and above the normal working hours and when the worker is asked to go on a festival holiday, he should be given a compensatory off. They demand an alteration in the rate of Travelling Allowance, Lunch Allowance and ask for free lunch to be supplied to them. They further want Casual leave to be increased from 10 days to 12 days in a year and privilege leave on completion of 11 month' service, and 30 days sick leave with a right to accumulate up to 180 days. Maternity leave and Special leave in the event of an accident during the course of employement, and that all the employees should get 18 holidays, Their dependents must also be given medical benefit by their own family docotors at the expense of the company. Promotions should be according to seniority. The last demand is with regard to uniforms which should be supplied to all Mazdoors, Packers, Carpenters, Drivers and Helpers.

7. The Company has resisted every one of these demands made by the workmen. The company does not manufacture any commodity in Bangalore, but carries on only trade and commercial activity with a small service station employing only about 25 workmen. In all there are altogether about 113 workmen in the Bangalore Branch. The Company contends that the settlements in 1953 as well as in 1964 were reached after both parties had fully considered the then prevailing circumstances and after taking into account the total emoluments paid to the employees in concerns of comparable size and engaged in comparable activities in Bangalore. The settlements were terminated by the Union and fresh charter of demands was made on 11th January 1965. The Company contends that there has been no material change in the circumstances which warrant any alteration in the service conditions of their employees. The wage scales are long-term arrangements and should only be altered if the circumstances are so materially changed as to warrant it.

8. The company states that the workmen have been receiving various benifits like bonus and increase in DA as a result of linking it to the cost of living index. About 41 per cent of the business of the Company consists of sale and distribution of imports

from abroad and 59 per cent due to the manufacture and distribution of products produced in this Company. Due to the drastic cuts and restrictions in imports, the business of the Company has been seriously affected. The Company states that the existing conditions of service and the emoluments are not only fair but liberal and compare very favourably with the service conditions in other comparable concerns. It is not true that the Company has built up huge reserves or increased the quantum of dividends. They submit that the present demands made by the Union are unreasonable, unjustified, particularly in the present state of uncertainty about the future. Any move to merely increase wages, according to the Company, will only result in inflation bringing in its wake misery and economic disaster to the community at large. An increase in wages without corresponding increase in productivity will only lead to inflation and its attendant evils of high prices and low purchasing power. The need-based wage is only an ideal impossible of attainment within the foreseable future. The recommendations made by the 15th Labour Conference cannot be depended upon. At the start of the service of a workman only 2 25 consumption units can be taken into account and the calory intake should not be according to the Dr. Ackroid's formula as under Indian conditions it is very much less The Company contends further that it is futile for the workmen to demand a revision of their emoluments because of living index as the scheme of D.A. in force compensates the employees for any rise in the cost of living. The basic wages paid by the Company are quite adequate and they have been fixed by virtue of a settlement entered into by the management and the workmen after prolonged negotiations and discussions. None of the workmen were deprived of any legitimate rights and dues. The workmen are not entitled to compare themselves with their counter parts in Bombay, Calcutta and Delhi. The Assistant Engineers and Technical Assistants employed by the Company are transferred from time to time and hence their wages have been standardised while in the case of workmen they are hardly transferred from one Branch to another. The Company submits that the demand for revision of scales and emoluments of the workmen on an All India basis is untenable and unjustified and violates the well known principles of wage fixation on the industry-*cum*-region basis. With regard to demand No. 1 the Company states that the efficiency bars which are sought to be removed are absolutely necessary in any satisfactory scheme of incremental scales. The Company further opposes abolition of the existing designations and

introduction of the three scales for all the employees. There is no justification for reclassification nor for higher start for Stenographers, Graduates and double graduates The Salesmen are not workmen within the meaning of the Industrial Dispute Act, and therefore this tribunal, according to the Company, has no jurisdiction to fix their emoluments or to regulate their conditions of service. There is no need for revision of the scales of various categories of workmen as demanded by them. M. C. Rangiah has been already in the Carpenter's grade while Marappa is only a Packer. N. Jayavelu has already been working as a Packer while M. Rangiah and Doraiah are Mazdoors and cannot be promoted as Packers. Allowances had been fixed after taking into account the nature of the duty performed by certain categories of employees and there is no justification in increasing or altering it. There is no justification in the demand for abolition of the present grades and introduction of new grades and redesignation of mechanics and service men as their existing emoluments are commensurate with the nature of their work and the responsibilty that they have to discharge Kumaran does the work of a Mazdoor and Janclaus and Sardar cannot be promoted as promotion is management's function in which the Union has no voice. The D.A. linked with the cost of Consumer Price Index (No 381 390 for Bangalore) and the demand for full neutralisation of D.A. has no basis. As it is, the workmen are getting substantial D.A., the minimum at present being Rs. 140. The Company states that there is a maximum of D.A. which is fixed at Rs 350. Working hours are reasonable and any reduction would adversely affect the competitive business and result in higher cost The existing arrangement regarding payment of over-time is fair and just and no change is called for. Nor is there any necessity to change the Travelling Allowance prescribed by the Company. The Lunch Allowance is given according to the settlements and the workmen cannot convert it to additional emoluments. The claim for free lunch cannot be granted as it is not in existence in any establishment. The Company opposes the demand for increase of existing Casual leave of 10 days to 12 days in a year and of Privilege leave for every 11 months of service for a calendar year instead of for every 12 months as given now. The provisions regarding Sick leave are ample and generous and no revision need be made. Nor is there any satisfactory reason for altering the Maternity leave, and holidays nor for granting special leave. The Medical scheme cannot be extended to the dependents nor can the family doctors

be allowed to treat the employees and the expenses to be reimbursed in full by the Company. The appointments and promotions have always been for the management to decide and cannot be dictated by the employees Mere length of service cannot be the only factor to be taken into consideration for promotion which involves higher responsibilities. The Company provides uniforms to Attenders and Watchmen and that benefit cannot be extended to other employees. These demands according to the Company, are made by the workmen with a view to augment their emoluments. The Company prays that all the demands made by the workmen should be rejected.

9. The following issues were framed as arising out of the pleadings :—

"I Whether the wage structure and other conditions of Service should be kept in tact as prescribed by the Settlement dated 8th August 1962 between the parties in as much as there has been no material change in the circumstances warranting any modifications thereof, as alleged by the II Party Company?

II As regards D.A., whether the Settlement dated 8th August 1952 had evolved a formula which was intended to and which took care of the fluctuations in the price index so that the employees might not suffer by reason of any rise in the cost of living index? If so, whether the D.A. paid to the workmen at Bangalore Branch varied according to this formula?

III If the capacity of the industry to pay is taken into consideration, whether the present total emoluments of the workmen of the Bangalore Branch are good and even generous and therefore the present demands made by the workmen are unreasonable and unjustified?

IV Whether the Company's activities and particularly the activities of the Bangalore Branch are not labour intensive but largely depend upon the capital out-lay and managerial supervision?

V Whether the uniform All India price structure for the Company's products could be a reasonable justification for the uniform wage scales on an All India basis?

VI Whether the salesmean are not workmen within the meaning of the Industrial Disputes Act ? And as such, this tribunal has no jurisdiction to deal with the matter ? "

10 The main point for consideration in this case is whether the wage structure and other conditions of service should be kept intact or whether they are liable to be changed. It must be remembered that there were two settlements between the parties, one in the year 1958 and the other in the year 1962 when there has been a revision of the wage structure and other conditions of service. The Management contends that the wage structure and other conditions of service must be given a fair trial and should be long-term arrangement and should not be subjected to interference. It is settled law that the wage structure and other conditions of service once fixed by agreement between the parties or by an award should not be subject to frequent alterations and revision can only be considered if there has been a change of circumstances between the last settlement or the award and the date of the demand by the workmen. The question therefore reduces itself to as to whether there are changed circumstances which warrant the disturbance of the wage structure existing in the company. The workmen on the other hand contend that there are changed circumstances to justify their demands for the alterations of the service conditions. In support of their contentions they point out that the changes during the last few years have been such that the demands made by them have become imperative. They state that during the last few years there has been a phenomenal increase in the cost of living. Secondly that the company has been having enormous prosperity in its business ventures a prosperity that they should of necessity share with their employees, and thirdly that the conditions of service in comparable industries in this region and also those of the employees who are their counter-parts in Bombay, Delhi, Calcutta and Madras show that they have been placed very unfavourably and not on a par with them, and lastly that proper weightage has not been given to those who have put in considerable years of service in the company. Those circumstances they contend, are sufficient justification for their agitation to have a revision of their service conditions.

11. The law on the subject of revision of the wage structure and other service conditions has been laid down in a number of decision to which reference will be made later. Suffice it to say

that at present the law recognises the need for revision of the service conditions if (1) the circum-tances have changed from the last revision (2) if the financial position of the company is such that it can support the employees by giving them what are known as fair wages and (3) that the quantum of fair wages should be determined with reference to the prevailing wage structure in other comparable industries in the same region. The Supreme Court has held that the workers are entitled to what is known as the subsistance or minimum wage irrespective of the fact whether the industry is making profit or not and that no industry which is incapable of paying its employees the minimum wage should exist. If the industry is prosperous then it should at least pay the minimum of the fair wage, the exact quantum to be determined after comparing it with similar industries in the region. In the instant case there can be no doubt that this industry is a prosperous one. The annual Reports published by the Company show an ever expanding business. In the year 1964-65 it should be seen from the Balance Sheet that the company had done exceedingly well and the results were better than in any of the previous years in spite of the economic uncertainties and the turn over increased to little over 42 crores of rupees and the gross as well as the net profits have been increased by nearly 19 lakhs of rupees after making full provision for depreciation. The profits that year which were available for di-posal was 96.79 lakhs. In the year 1965-66 the turnover increased to 60 crores and the net profit increased to 81.86 lakhs. In view of this prosperity of the company it is but reasonable for the workmen to agitate for a higher share of those profits which they had worked to build up. We are however not concerned in this case with the entire set up of the company but only with a very insignificant part of it which is a Branch Office at Bangalore. This branch employs only about 122 employees and any addition to their emoluments will be in the nature of a flee bite and will not affect in anyway the economy of the company, nor will it have any repercussions on their counter parts in other regions because they are in a much more favourable position than those in Bangalore. It must at the same time be mentioned that the prosperity of the company is no reason for the workmen to make extravagant demands out of all proportions to the benefits enjoyed by other workmen in other concerns because it is not proper to entrench a privileged class of workers in the region. The mere fortune of having secured a job in a prosperous company should not put the worker in a higher pedestal than those in sister concerns. The workmen are entitled

certainly in view of the financial status of the company, to at least the minimum of a fair wage and reasonable conditions of service must be determined in comparison with other similar industries in the region.

12. One of the serious problems that confront industrial adjudication is fixation of wages and the determination of what amounts to a fair wage. The learned counsel for the I Party contended that the minimum wage is the same as the need based wage and has worked out a formula as p r Ex. W 27 according to which the need based monthly requirements of a working class family consisting of 4 consumption units at the prices ruling in the month of May 1966 in Bangalore City is said to be Rs. 412.70. The criticism levelled against it is that a worker when he starts his employment and gets the minimum of the scale of pay will not have to support four persons but only 2.25 as his family will increase only after 8 or 10 years by which time he will get normal increments and a higher salary. The diet shown in Ex. W 27 according to the management, is not the one that is usually taken even by the middle class people and no working class man is used to such a rich diet, and besides the calory content of 2,600 is much more than the average intake of a working class family. If it is calculated at 2.25 unit per family, then it will work out to about Rs. 250 and if the calory content is reduced then it can be safely said that the need-based minimum wage at the prices prevailing to-day would be about Rs. 230. That could also be arrived at by a different process. The report of the Textile Labour Enquiry Committee has gone into the question of minimum wage for textile workers and found that it will be about Rs 30 when the Consumer Price Index was about 100. The consumer price index has risen to 660 *i. e.*, about 6.6 times and in order to neutralise, it his present salary should be Rs. 30 *plus* Rs. 198 which comes to Rs. 228. Hence the minimum fair wage that a worker would be entitled to, if the industry could afford it, would be about Rs. 230 and any fixation of wage structure must take a note of this figure.

13. The wage structure as prevailing in the company is, if I may say so, extremely lopsided. The basic salary is low while the D. A. is extremely high. It looks as though the D. A. is the main-stay of the employees and not their basic salary. The D. A. given to the employees is out of all proportion to the basic salary. The original concept of D. A. was merely a temporary expedient to protect the worker from the steep rise in prices and later on it

was considered as a method of neutralising the rising cost of living. While it was meant only as an outer garment for protection against the viscititudes of market fluctuations, it has now become the entire core of workmen's earnings and it is the D. A. that sustains him and not his basic salary. In spite of the fact that the D. A. given to the employees in the industry is fairly high, there is a demand to further increase it. The learned counsel appearing for the management states that there must be a ceiling put upon this D.A. That was opposed by the I Party who contends that it is beyond the jurisdiction of this ritbunal in the absence of any specific demand or notice of change, to put a ceiling In my view the entire matter is at large before this tribunal and when some formula has to be devised for D.A., it is open to the tribunal to put a ceiling on it. It is no doubt true that the Mansgement cannot put a ceiling and change the conditions of service without giving a proper notice of change, but I do not find anything in the Industrial Dispute Act which prevents the Tribunal from putting such a ceiling even if there is no demand, when the issue of fixation of D.A. is before it. I shall therefore fix a ceiling of D.A. at Rs. 400/- per month. It was argued that it would deprive the workmen of the benefit of neutralising the rise in the cost of living if it goes beyond the present limit. But then it must be remembered that if there is such an increased rise in the cost of living there is nothing to prevent workmen from agitating for an increase in their basic salary after the period of the award has expired. In the same manner I would also put minimum basic salary at Rs. 40 - per month for an unskilled labourer as that would properly represent the minimum of fair wages taking into consideration Rs. 30/- was the minimum wage in the year 1936 or so and the minimum fair wage in the year 1967 cannot be below Rs. 40/- per month. For a middle class the usual estimation is that it must be 80 per cent more than the working class which will come to a minimum fair wage of Rs: 72 I propose to fix the minimum wage for the lowest unskilled labourer at Rs. 40 per month and for the lowest in the grade of clerks at Rs. 72 per month.

14. With regard to D.A. there has been already a linking with the cost of living. The scheme prevailing in the company is to take the consumer price index at 381 890 and to neutralise at 80 per cent for the first 100. 40 per cent for the second 100 and 20 per cent for the balance, keeping a minimum at Rs. 50 and the

variations in the percentage corresponding to every 10 point movement up and down in the index at 5 per cent, 2½ per cent and 1¼ per cent respectively and the calculation to be made at Rs. 3 per 10 points. The claim of the I party workmen is for neutralisation at the rate of 100 per cent, 50 per cent and 25 per cent with the minimum of Rs. 77 as prevailing in Bombay branch. It has been held that 100 per cent neutralisation is not desirable as it might tend to inflation. The matter of D.A. is applicable to the Central Government employees was gone into in detail by the Gajendragadkar Commission and a report has been published of the findings of that commission and they have recommended that the percentage of neutralisation for a 10 point rise in the average of the index above 175 at 90 per cent up to Rs. 100, 55 per cent up to 209 and 45 per cent up to Rs. 339 and the amount of D.A for a 10 point rise from Rs. 6 to 9. In as much as D.A is meant only to protect the employee against the rise in the cost of living, I do not see why the formula arrived at after great thought bestowed on it by the Gajendragadkar Commission should not be followed and I would therefore prescribe the D.A. at the index figure of 371-380 as follows:—

For the first 100 basic salary, 90 per cent and 5 per cent for variation at 10 points, for the second 100 at 50 per cent and variation at 2½ per cent and for the balance at 25 per cent and variation for 10 points at 1¼ per cent,

minimum being kept at Rs. 50 and the amount at Rs. 3 for 10 points rise provided that no person should get more than Rs. 400 as D.A. in any month.

15. The question still remains un-answered as to whether there are circumstances which warrant a revision of the service conditions. As stated before, the I Party has pointed out the various circumstances to justify their demands. Those circumstances are fully borne out by the evidence produced in this case. It cannot be disputed that there has been a tremendous rise in the cost of living in Bangalore City. The consumer price index today stands somewhere near 740 while the base was only 371-380. The enormous increase in the cost of living points out the necessity for the revision of the wage structure. Secondly the company has been prospering and the demands put forth by the workmen are not such as to upset the economy of the industry. As stated before, it is a very small burden which the company may have to bear. The company is said to be one of the top few in India and so far as its capital structure, reserves and the status

which it commands in the industrial world. it is next to none in this country In volume 12 of the Magazine called 'we in the year 1966" these observa ions are made about Voltas :—

> "Today Voltas is ranked as the 17th amongst 51 corporations with largest total assets in the private sector in India. Our total turnover which amounted to 8 crores in 1954 rose to 46 crores in 1964-65, whereas in 1954 our sales consisted almost entirely of imported materials and equipment. By 1964-65 about 60 per cent of our total turnover represented goods manufactured in our own country. Today we hold 187 representatives and handle over 700 different products."

The third circumstance which justified a revision is the prevailing conditions in similar industries in the region. Some of which although not so financially well off, are able to provide better emoluments to their employees. It must be remembered that a contended class of workers is itself an asset to the company which can be cashed by greater production and less industrial interruptions in production. These are, to my mind sufficient criteria for looking into and revising the service conditions of the industry. At the same time, as stated before, the workers cannot claim to be a privileged class among the workers in general and in as much as in many respects the company has treated the employees generously, I do not purpose to make any violent changes in the patterns prevailing in the industry but propose to smoothen out the rough edges wherever it is found suitable, keeping in mind the minimum salary and the maximum D. A. mentioned above.

16. I may cite a few authorities in support of the view taken by me in justifying minor changes in the service conditions of the industry and not subjecting them to any drastic variations. In 1959 (I) LLJ 431 at page 444 between the Lipton, Ltd., and their employees, the following principles have been approved by the Supreme Court for fixation of wages.—

(1) In fixing the rates of wages the capacity of the industry to pay is one of the essential circumstances to be taken into consideration except in cases of bare subsistance or minimum wage where the employer is bound to pay the same irrespective of such capacity.

(2) The capacity of the industry to pay is to be considered on an industry-*cum* region basis after taking a fair cross section of the industry.

(3) The capacity of the industry to pay should take into account the elasticity of the demand for the products, the possibility of the tightening up the organisation and the possibility of the increase in the efficiency of the lowest paid workers. No doubt, against the ultimate background that burden of the increased rate should not be such as to drive the employer out of business."

In 1958 (I) LLJ 1 at page 6, the following principles have been enunciated.—

"Though social and economic justice is the ultimate ideal of industrial adjudication, its immediate objective in an industrial dispute as to the wage structure is to settle the dispute by constituting such a wage structure as would do justice to the interest of both labour and capital, would establish harmony between them and lead to their genuine and wholehearted co operation in the task of productions. It is obvious that co-operation between capital and labour would lead to more production and that naturally helps national economy and progress. In achieving this immediate objective, industrial adjudication takes into account several principles such as, for instance, the principle of comparable wages, productivity of the trade or industry. cost of living and ability of the industry to pay. The application of these and relevant principles leads to the constitution of different categories of wage structures."

The last decision is the one reported in 1962 (II) LLJ 744 derided by the Supreme Court of India in the dispute between the French Motor Car Co., Ltd, and their workmen. Their Lordships state at page 750 as follows.—

"Generally adjustments are granted when scales of wages are fixed for the first time. But there is nothing in law to prevent the tribunal from granting adjustments even in cases where previously pay scales were in existence, but that has to be done sparingly taking into consideration the facts and circumstances of each case. The usual reason for granting adjustment even where wage scales were formerly in existence is that the increments provided in the former wage scales were particularly low and therefore justice required that adjustment should be granted a second time."

17. For the reasons stated above and in view of the law on the subject I propose to affect some minor changes in the service conditions of the industry and for that purpose I shall take into consideration the demands, one by one in seriatum.

18. One of the arguments advanced by the learned counsel for the management is that there have been recent settlements between the management and the workers as per Exhibits W38 and M25 in 1958 and in 1961 respectively and that it is too early to affect another revision. Apart from there being change of circumstances since 1961 owing to the phenominal increase in the cost of living, it must be stated that the two settlements are more in the nature of a demand and an acceptance or refusal by the management and not an agreement between the parties. It would be noticed in both the settlements that the management simply said "Not accepted" which means that in respect of matters not covered by acceptance by the management there has been no agreement between the parties and hence there could not have been any settlement with regard to those matters. Besides, this is the first time that the matters have come up for adjudication and as is well known, the bargaining powers of the management and the workers are not always well balanced. In my view therefore those two settlements are no bar to further revision of the service conditions.

19 The company is unique in its character as there is no comparable concern within this region dealing in similar products with the same capital structure and earning the same profits and having the same status in the industrial life of the country. As a matter of fact in the pamphlet "100 largest companies in the private sector in India" the following observations are made:—

> "It was also indicated that Voltas had shown a remarkable growth rate as its sales were relatively high in relation to its paid up capital and assets. In 1964 65 Voltas jumped by two places in rank by sales as there was substantial improvement in its sale figure from 32·42 crores in 1963–64 to 42.23 crores in 1964–65."

It ranks ninth among the top 10 companies in India, TISCO being the first and Hindustan Motors, the last among the 10. All India companies with which it can compare favourably so far as the paid up capital and assets are concerned, are ESSO, Dunlop Rubber Co, and Hindustan Lever. But those companies do not deal with the same products as Voltas and therefore cannot be

called comparable industrties. The Management however, has adduced evidence of some industries which can be said to be comparable to Voltas. It would be remembered that Voltas so far as its Bangalore Branch is concerned, is not a manufacturing concern but it is only a distributing Agency It is by no means labour intensive and most of them who are employed are white-collered employees and not many of them are manual labourers. None of these are engaged in any productive activities which increases the sum total of the wealth of the country. The management have adduced evidence of certain similar concerns although their paid up capital and assets are no where near those of Voltas. These Companies are also distributing Agents in Bangalore and their service conditions can be compared with those of Voltas. The three comparable concerns which are financially not in the same grade as Voltas but deal in business similar to that of Voltas are Addison Company, Batliboy & Co., and Parry & Co. If at all the service conditions in Voltas should be no worse than those three because of the greater resources and of the larger profits it has been making. At any rate, it cannot be denied that the Voltas employees are entitled at least to those service conditions prevailing in those three industries which are also engaged in distribution of either machinery or pharmaceuticals. The management have examined officials from these three industries and they have given the service conditions that prevailed there. In fixing the service conditions of Voltas those prevailing in these industries may be taken into account.

20. My answer to the issues framed in view of what is stated above, is as follows :—

(1) Wage Structure and other conditions of service require minor alterations as mentioned in the following award.

(2) The D. A. paid to the workmen at Bangalore Branch should be varied according to the formula given in the award keeping the maximum at Rs. 400 which is the maximum prevailing in the Madras Branch of the company and which is also settled between the parties of the Bombay Branch pending adjudication

(3) The present total emoluments of the workmen of the Bangalore Branch are good and even generous although they require slight modifications, with regard to the minimum wages and other service conditions.

(4) The activities of the Bangalore Branch are not labour intensive but depend upon capital outlay, managerial, supervision and co-operation of the workmen.

(5) It is not desirable to have uniform wage scale on an All India basis and the Supreme Court has consistently held that wages should be fixed on industry-*cum*-region basis and not on an All India basis. It is true that some employees of the Company *viz.*, Engineers and technicians have all an uniform wage scale but that is because they are liable to be transferred from one place to another. But the policy of the company so far has been not to transfer the workmen from one region to another and therefore the question of having a uniform wage scale on an All India basis is neither justifiable nor feasible.

(6) The question as to whether Salesmen of the comany come within the meaning of 'workmen' under the Industrial Disputes Act, has been the subject matter of some contraversy between the parties.

It will be noticed from the appointment order of salesmen and from other documents produced that the main business of the Salesmen of the compsny is canvassing for orders and clerical, work that they undertake is only of an incidental nature. I would refer to the appointment order of M. A. Thomas as per Ex. M6 which says that he is authorised to canvass for maintenance service for standard units and self-containing air conditioners on certain sales commission. In view of the appointment order it is idle for the salesmen to contend that they are 'workmen'. The Supreme Court has held that whether a person is a workman or not although he is designated as Salesman, should be spelt out from the circumstances of each case. If his work consists largely in canvassing orders for the company, he cannot be considered as workman although incidentally he may have to do some clerical work. Besides these salesmen some of whom have been examined in this tribunal, have given evidence to the effect that they receive a large sum of money as commission. Thomas who has been examined as W.W.8, states that he reports to office daily, attends to office and telephone calls, goes out and meets the clients and writes reports to the office. He received as commission for the period between 1st September 1965 to 31st August 1966 a sum of Rs. 5,220 which shows that a large portion of his earnings is by way of commission and not as wages. The authorities also show that in those circumstances they cannot be

considered as workmen and not be entitled to the benifits under the Industrial Disputes Act. In 1961 (II) LLJ 94. at page 97 the following observations are made:—

> "A Workman" is defined as any person employed in any industry to do any skilled or unskilled manual or clerical work for hire or reward. Therefore, doing manual or clerical work was necessary before a person could be called a workman. It was consistently held that the designation of the employee was not of a great moment and what was of importance was the nature of his duties. If the nature of the duties is manual or clerical, then the person must be held to be a workman. On the other hand, if manual or clerical work is only a small part of the duties of the person concerned and incidental to his main work which is not manual or clerical, then such a person would not be a workman."

The duties of the Salesmen in the company are mainly to book orders and reporting to the company is only incidental to the main work to be performed by the salesmen. In my view they cannot be considered as workmen and this court has no jurisdiction to fix their service conditions and that is my finding on Issue No. 6.

21. In view of what is stated above and bearing in mind the minimum wage and the maximum D.A and comparing the wage scales and other service conditions prevailing in Addison & Co., Parry & Co, and Binny & Co., I make the following award in respect of the various demands raised by the I Party Union.

I. Demand No. 1. Scales and Grades—

There is no reason to disturb the three grades of Clerks and one Selection Grade as settled in 1961 Settlement.

Scale (1) Which is for Telephone Operators-cum-Receptionists Filing and Despatching Clerks and existing Non-matriculates doing clerical work, is fixed at Rs. 75-5-100-7-½-150-EB-10-200.

Scale (2) for Clerks, Typists and Stenographers:—Rs. 90-5 150 7½-200-10-250 EB-15-300.

(Stenographers will start on a basic salary of Rs. 110 per month in that grade).

Scale (3) For Clerks, Typists and Stenographers:—Rs. 150-10-200-15-300-EB 20 400.

Selection Grade:—Rs. 250 20-300-EB-25-500.

(a) The demand for re-designation is, in my view not justified and the same designation will continue in the absence of proper reasons for changing them

(b) The question of promotion is purely managerial function and the demand of providing 15 per cent of the existing employees in scale (3) cannot be granted.

(c) For the reasons above, promotions to scale (2) is left to the management and no directions could be given. Similarly in the case of demand No 1 (d).

(e) As already answered, Stenographers will start on Rs. 110 and Rs. 150 in Scales 2 and 3 respectively.

(f) There is no separate scale for Draftsmen and it is left to the management to fit them into any scale.

(g) Salemen are not workmen and therefore their case cannot be considered by this tribunal.

(h) No particular reason is given as to why increment should be given to Graduates and Double Graduates as demanded. But under the Settlement they are entitled to two increments if appointed in the lowest clerical grade.

2. *Mechanics*:—

Scale (1) Rs. 75-5-100-7½-150-EB-10-200.

Scale (2) Rs. 90-5-150-7½-200-10-250.

Scale (3) Rs. 110-5-200-½-250-10-300 (For Erectors)

3. There is no separate scale for Daftaries.

4. Drivers.—Rs. 60-5-100-7½-150-10-200.

5. Carpenters:—Same as scale (1) and scale (2) for Mechanics.

6. Packers
7. Mazdoors
8. Watchmen
9. Attenders

} Rs. 45-3-60-5-100

So far as fixing these persons mentioned in Notes to demand (1) is concerned, that is matter left to the management and no

directions can be given. It may however be stated that according to the Administrative Assistant Shenkumni, M. W. 11, N. C. Rangaiah has been already placed in the Carpenter's grade while Mariappa is still a Packer, Jayavelu has been promoted already as a Packer While Rangiah, Ganesh and Doddiah are still Mazdoors. No reason is shown as to why there should be an enhancement in the Cycle and other Allowances already settled under the old agreement Ex M 25. I do not propose therefore to make any alterations nor is there any case made out for modifications in the allowances.

Demand No. 10.—The next demand is with respect to re-designation of Mechanics, Servicemen and Erectors. But there seems to be no rational behind this demand except perhaps a touch of snobbery. The persons referred to are actually doing Mechanics' job and there is no reason why they should be called anything else. There is no separate grade for Erectors or Service Representatives nor for Helpers. They will be fitted into the grades mentioned above for Mechanics. In the absence of any need for a fresh grade, the demand made under I (i) is refused. So also the demand under I (ii) as there is no separate grade for Helpers and they have to be fitted in the other grades mentioned above. They may be done by taking their present salary. length of service and with the consultation, if possible, with the Union.

22. I do not propose to reclassify the employees nor is there any case made out for such reclassification. But in view of the fact that the grades have been revised, some weightage should be given to the employees who have put in some length of service and who would have reached the scale proposed to be given now. In order that there should not be any disadvantage and that they should not be equated to those who have put in a lesser number of years of service. I direct that those who have put in 5 years of service would be entitled to one increment and those who have put in 10 years of service, to two increments. If their wages fall in between the two slabs, they shall be stepped up. With these observations *Demand No.* 2 is disposed of.

Demand No. 3.—The D. A. payable to the employees has already been set out above and for the reasons stated therein, the D. A. will be payable as follows :—

> When the Consumer Price index for Bangalore is in the bracket of 381-390, for the first 100 neutralisation at 90 percent and variation at 5 per cent for every 10 points. For the second 100 neutralisation at 45

per cent and variation of 2½ per cent at every 10 points and for the balance neutralisation at 22½ per cent at variation of 1¼ per cent for every 10 points, the minimum D. A. being Rs. 50 and the maximum D. A being Rs. 400 and the variation to be calculated at Rs. 8 for every 10 points. The index to be used for determining the bracket, will be the one established for the previous month, and done declared by the Government.

Demand No. 4 —Working Hours.

The demand for 5 days a week, Saturdays and Sundays being weekly holidays, is not prevalent in any of the industries in the region and therefore cannot be granted. The working hours for the Staff is as it is really low as they work only for 36½ hours per week and no case is made for reducing it. The Service Stations and Godown working hours are 48 hours per week and that may require some reducti n as the other industries in the region have lesser working hours for similar employees.

As I have said before, when comparing this industry with Parry & Co., Best & Co., Addison & Co., and Batliboy & Co., the Addison Co., works from 8 A.M. to 12-30 P.M. and 1-30 to 5-30 P. M. a week on week days and 8 A. M. to 1 P. M. on Saturdays, totalling to 47½ hours per week, Parry & Co., works from 9-45 A.M. to 5-30 P.M with a break of ½ hour for lunch on week days and between 9-45 A.M. to 1-30 P.M. on Saturdays which comes to 40 working hours per week, In Batliboy & Co, the working hours are from 9-30 A.M. to 6 P.M. with one hour's break on week days and 9 A.M. to 1 P.M on Saturdays which works out to 42½ hours per week. Best & Co. works between 10 A M. to 5 P.M. with lunch break of one hour and on Saturdays between 10 A.M. and 2 P M., which comes to 34 hours per week. It seems to me therefore that compared to other industries the working hours for the Godown and Service Station workers are long and are reduced from 48 hours per week to 46 hours per week. The time during which they should work may be fixed by the management in consultation with the Union, if possible.

Demand No. 5—Over-time Allowance.

The practice prevailing with regard to over-time is that they are paid double if the total work exceeds 48 hours per week, the

salary being divided by 200 hours. The demand now made is that every requisition for over-time work beyond the normal working hours should be paid at double the normal rate. That appears to be the practice in other similar comparable industries. In Addison & Co., over time is calculated at double the normal wages and the demand for double the wages for over-time seems to me to be reasonable and should be accepted But there is no necessity to give compensatory off as demanded by the workmen nor is there any necessity to alter the calculation of the over-time wages which is prevailing at present.

Demands Nos. 5 (d), (6), 11 (5) (a), 12, 13 and 14 have been settled under a settlement between the All India Voltas and Vikart Employees' Federation, Bombay, and the management of Voltas, Ltd., and the award in respect of these demands will be as per the settlement, a copy of which is annexed to this Award.

Demands Nos. 7 and 8.—No company in this region is giving free lunch to its employees and the demand for free lunch cannot be granted. Nor are they entitled to higher lunch allowance as the present allowance paid to the employees seems to be reasonable and the employees cannot be expected to make profit out of the lunch allowance. The H.M.T. gives only Re. 1 for lunch, Bathiboy Rs. 1-50. Voltas also give Rs. 1-50 to the Clerical Staff and Re. 1 for the workers which need not be disturbed.

Demand No 11.—The leave granted by the Company seems to be very reasonable except for some minor changes The privilege leave is for 30 days for staff as well as for Service Station and Godown workers, from 4th year onwards and three weeks for those who have put in less than 3 years service. That compares favourably with Addison & Co., who give only 14 days and Parry & Co., which gives only 12 days and for more than 5 years service, 18 days. The General Holidays are 18 for Office Staff and only 7 days for Godown and Service Station employees. The workers in the Public Sector get between 12 and 13 days as General holidays while Parry & Co., gives 3 General Holidays and the Addisons have 14 paid General Holidays which includes the National holidays Bathiboy have 15 days General holidays. The General Holidays granted to the workers in the Godown and Service Station when compared with other industries and also to other employees in the same industry is low and the General Holidays for the Godown and Service Station is increased to 10 days while keeping that for the staff at 18 days intact. The Casual leave to the employees

of the Voltas is 10 days per annum while in Batliboy it is 7 days and in Addisson it is 12 days. Therefore there is no need to increase the Casual leave nor can the casual leave be granted without prior permission except in cases of emergency. The employees should not be allowed to avail more then 3 days casual leave at a time. The Sick leave and other leave facilities given by Voltas compare favourably with the other industries in the region and require no alteration. Therefore the demand made in respect of other kinds of leave is rejected.

Demand No. 15.—The question of appointment and promotion are managerial functions and I do not propose to lay down any directions. It is hoped however that promotion will be on the seniority-*cum*-merit basis and any particular grievance of an individual employee could always be agitated if it is based upon discrimination or unfair labour practice. Demand No. 15 is therefore rejected.

Demand No. 16.—The last demand *i. e.*, demand No. 16 is in respect of uniforms. The company provides 3 sets of uniforms to Attenders and Watchmen per year and two turbans to the watchmen in a year and one set of woollen uniform to watchmen once in 4 years. Uniforms are generally given to those workmen whose clothes get soiled by virtue of their occupation. Taking that circumstance into consideration I do not see why the other workmen whose clothes are liable to get soiled should not also be provided with uniforms. The Godown Mazdoors and Packers are also entitled to 3 sets of uniforms. The Drivers are also entitled to 2 sets of uniforms. There is no practice of giving shoes in any similar industries in the region and that demand cannot be accepted.

23. In the result, the Reference is allowed in part and the award will be in the manner set herein above. The next question for consideration is as to when the award is to become effective. Normally it should be from the date when the award becomes enforceable and there is no reason to depart from the normal practice. It must also be remembered that the previous agreement between the parties was very recent in the year 1961 which lasted for 3 years up to 1964. Besides some of the demands made by the workmen are to say the least, very extravagant and the management is justified in refusing some of these demands. As the award will become effective only during the course of about end of this year and in order to enable the industry to systametise the directions

given in the award, I fix the date on which the award becomes effective as 1st January 1968. The new grades and wage structure will come into effect from 1st January 1968 and any employee who is not fitted into the grade mentioned above will be fitted in by the management taking their length of service and their present emoluments after consultation, if possible, with the Union. I may mention that the industries with which I have compared, are in a much lower financial position than the Voltas which is so to say, an unique company in this region having no comparable industries. The Voltas must therefore give a lead to the other industries in the region and with that view the terms that I have settled, are more favourable than those prevailing in those concerns. It is to be hoped that the workers of the I Party Union will try the scheme for some time before starting any other agitation with their charter of demands, and co-operate with the Management in attaining greater prosperity in future.

24. As each party has succeeded in part, I direct each party to bear its own costs.

V. C. RAMACHANDRAN,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore-2.

ANNEXURE. "A".

GOVERNMENT OF MYSORE.

Bangalore, dated the 25th November 1965.

ORDER.

WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the workmen and the management of Voltas, Ltd., 21, Kasturba Road, Bangalore-1, on the points noted below;

NOW THEREFORE, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Industrial Tribunal at Bangalore.

POINTS OF DISPUTE.

Demand No. I—Scales and Grades.

The existing Grades and Scales should be abolished and the following Scales and Grades should be introduced with effect from 1st October 1964.—

1. Office Assistant, Telephone Operators-*cum*-Receptionists, Stenographers, Filing Assistants.	Scale I—100-8-140-12-224-15-314. „ II—200-15-260-20-400 „ III—300-20-340-25-440-30-590.

Notes :—

(*a*) The present Clerks and clerk-*cum*-typists should be redesignated as Office Assistants, and Despatch/Filing Clerks as Filing Assistants.

(*b*) 15 per cent of the existing employees falling under Scales I to III should be given scale III strictly according to seniority.

(*c*) 30 per cent of the existing employees falling under Scales I to III should be given scale II strictly according to seniority.

(*d*) The rest of the employees falling under Scales I to should be put in Scale I.

(e) Stenographers should be started on a basic salary of Rs. 140 per month in scale—I.

(f) Draftsmen should be started in scale II.

(g) Salesmen should be started in scale II.

(h) Graduates and double-graduates should be given two and four increments in their respective grades.

2.	Technical Assistants	...	300-20-340-25-440-30-590.
3.	Daphtaries	...	75- -10 -8-1. -10-200
4.	Drivers	...	80-5-1 0-8-140-10-200
5.	Carpenters	...	95-5-115-7-143-8-207
6.	Packers	...	65-4-81-5-101-6-125
7.	Mazdoors	...	50-3-65-4-85-5-115
8.	Watchmen	...	55-3-64-80-4-100
9.	Attenders	...	50 3-65-4-85-5-115

Notes:—

(a) Messrs. N C. Rangiah and C. Marappa should be placed in Carpenters' Grade.

(b) M/s. N. Jayavelu, M. Rangiah, B. K. Ganesha and D. Doddiah should be placed in packers' Grade.

(c) Attenders/Mazdoors/Packers going out on cycles should be paid an allowance of Rs. 15 per month.

(d) Daphtaries/Attenders working on duplicating machine should be paid an allowance of Rs. 15 per month.

(e) Employees relieving Telephone Operator-*cum*-Receptionist should be paid an allowance of Rs. 15 per month.

(f) Attenders/Mazdoors/Packers handling cash should be paid an allowance of Rs. 15 per month.

(g) An allowance of Rs. 15 per month should be paid to drivers for washing cars/vans

10. Service Representatives/Erectors.

(a) The Machanics/Servicemen drawing wages in the existing scale 2 should be redesignated as Service Representatives and given the following scale with effect from 1st October 1964 :—

Rs. 150-10-190-15-265-20-345.

(b) The employees drawing wages in the existing Scale 3 should be redesignated as Erectors and given the following scales with effect from 1st October 1964.

250-20-330-25-455-30-515.

11. (a) Mr. M. S. Kumaran working as Helper should designated as Helper and given the scale of Rs. 65-4-81-5-101-6-125 with effect from 1st October 1964.

(b) The existing vacancies of Helpers should be filled in M/s. E. Jani claus and A. Sardar and given the above scale of—

Rs. 65-4-81-101-6-125.

DEMAND No. II

Reclassification and Adjustment.

(a) All employees covered under Demand No. I should given increments in their respective grades as under—

3 to 5 years of service as on 1st October 1964 ... 1 increment
6 to 10 years of service as on do ... 2 do
Above 10 years as on 1st October 1964 ... 3 do

(b) While re-classifying all employees in the above demanded scales and grades, the Union should be consulted.

(c) After reclassification, existing wages of employees should be brought up to the minimum in the above demanded scales and then given increments.

(d) After adjustments if the wages of any employees fall in between two slabs, he/she should be stepped up.

Demand No. III

Dearness Allowance —The existing scheme of Dearness Allowance should be revised on the following lines with effect from 1st October 1961 and applied to all employees working under Bangalore Branch.—

When the Consumer Price Index Number for Bangalore is in the Bracket of 581-330

For the 1st 100 basic wages 150%	Variation 5% for every 10 points
For the 2nd 100 basic wages 75%	Variation 2½% for every 10 points
For the balance Basic wages 87½%	Variation 1¼% for every 10 points
Minimum D. A. Rs. 87	Variation Rs. 3 for every 10 points.

Demand No. IV

Working Hours.—The following working hours should be applied to all employees working under Bangalore Branch.

Five day a week saturdays and Sundays should be weekly holidays.—From 9-15 a. m. to 1-00 p. m. and 1-45 p. m. to 5-00 p.m. (35 hours a week).

Demand No. V

Overtime.—(a) Whenevar any employee is required to work overtime beyond normal working hours he/she should be paid overtime at double the normal rate.

(b) If any employee is called upon to work overtime on holidays and/or weekly offs, he/she should be paid overtime at double the normal rate and also given compensatory off.

(c) While calculating Overtime wages, the total emoluments of an employee should be divided by his/her normal working hours in a month to arrive at the rate per hour.

(d) Whenever drivers are called upon to go out of station, they should be paid overtime in excess of their normal working hours at the above rate.

Demand No. VI

Travelling Allowance—The following travelling batta and class of travel should be paid to employees when detailed for out-station duties.—

	Daily Batta	Class of Travel	Incidental and Conveyance at respective places
1	2	3	4
Employees earning monthly basic salary of Rs. 300 and above.	Full day Rs. 16 Half day Rs. 8	I	Actuals
Employees earning basic salary of Rs. 150 to Rs. 299 per month.	Full day Rs. 13 Half day Rs. 6.50	I	Actuals

1	2	3	4
Employees earning basic salary of Rs. 75 to Rs. 149 per month.	Full day Rs. 11 Half day Rs. 5.50	I	Actuals
Employees earning basic salary up to Rs. 74 P.M.	Full day Rs. 9 Half day Rs. 4.50	Day II Class. Night I Class.	Actuals

Full batta should be paid for every 24 hours from starting time and for any balance hours on the day of return, batta paid as follows :—

Half a day's batta if balance is more than 6 hours but less than 12 hours, full batta if balance is more than 12 hours.

Demand No. VII

Local Bhatta/Luch Allowance.—Employees detained for out door duty within Bangalore Corporation limits and are not able to come back to their place of duty by lunch time, should be paid a lunch allowance of

Rs. 2.50 per day ... for clerical, technical and service staff.

Rs. 2.00 per day ... other

Demand No. VIII

Free Lunch.—Arrangements should be made by the Company to provide decent mid-day meals to all employees at its cost.

Demand No. IX

Leave.—The existing leave rules should be abolished and the following procedure introduced.

1. Casual Leave.—12 days casual leave in a year with full pay should be granted to all employees. This leave should be allowed to be prefixed and/or suffixed to weekly offs and/or holidays; and if desired converted into and/or combined with any other leave.

No reason or prior permission should be demanded for casual leave. Employees should be allowed to avail of 3 days casual leave at a time.

2. *Privilege Leave.*—30 days Privilege leave for every 11 months of service with a right to accumulate up to 90 days should be granted to all employees. This leave should be allowed to be prefixed and/or suffixed to weekly offs and/or holidays; and if desired converted into and/or combined with any other leave. This leave must be allowed to be availed of for any number of days with a minimum of 5 days at a time.

An employee should be given an option of cashing his/her privilege leave at the time of discharge/resignation/retirement.

3 *Sick Leave.*—30 days sick leave on full pay per year should be granted to all employees with a right to accumulate up to 180 days. For this purpose, this demand should come into force with retrospective effect from 1st January 1958. This leave should be allowed to be combined with or converted into any other leave and also to be prefixed and/or suffixed to weekly offs and/or holidays.

56 days half pay sick leave in a year prevailing at present should continue.

4. *Maternity Leave*—The existing procedure of granting 12 weeks maternity leave with full wages should continue.

5 *Special Leave.*—(a) 12 days Special Leave with full wages should be granted to three delegates from the Union to attend the meetings of the All India Voltas and Volkart Employees Federation. This leave should be allowed to be prefixed and/or suffixed to Weekly off and/or holidays.

(b) If an employee meets with an accident while on duty, he should be granted special leave with full wages up to the period he is able to resume duty.

Demand No. X

Holidays.—The existing 18 holidays in a year should be made applicable to all employees working under Bangalore Branch.

Demand No. XI.

Medical Scheme.—The present scheme should continue, but the benefit should be extended to employees families and dependents as defined in the Voltas, Ltd. Provident Fund Rules

Employees shall have the option to get treatment from any doctor of his her own choice who shall be a Registered Medical Practitioner. The bill issued by such a doctor should be met in full by the Company.

Demand No. XII

Enlarged Medical Benefits Scheme.—The sub-clause 3 (d and 3 (e) of the Medical Benefits Scheme introduced on 1st January 1960 by the Company should be abolished and the following inserted in their place.

3 (d) Reimbursement to any one employee relating to a period of any one time shall not exceed 50 per cent of the Medical expenses incurred.

3 (e) The reimbursement to any one employee during a calendar year shall not exceed Rs. 150. Arrangement should be made to reserve 3 beds in Hospital for employees who need hospitalisation.

Demand No. XIII

Superannuation.—All employees should be superannuated at the age of 60 years.

Demand No. XIV

Gratuity.—One month's salary including D. A for every year of service should be paid to all employees in cases of death, mental or physical disability to continue in service, resignation, termination of service, retirement or leaving employment for any reason whatsoever. The gratuity should be calculated on the basis of last drawn salary including D A.

Settlement for gratuity should be unqualified.

Demand No. XV

Appointment and Promotion.—No direct appointment should be made except to the lowest scale All vacancies in the higher grades and also in the Supervisory posts should be filled in from the existing staff according to seniority.

Demand No. XVI

Uniforms.—Four pairs of Service dresses should be given to each of the service representatives and erectors, every year.

Godown Mazdoors and Packers should be provided with 3 pants and 3 shirts per year per head.

Helpers should be given four pairs of service dresses each.

Watchmen, Attenders, Drivers, Mazdoors, Packers and Carpenters should be provided with one pair of shoes every year, each.

[No. PLM 486 LLD 66.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary to Government,
Labour and Municipal
Administration Dept.

"True Copy"

V. C. RAMACHANDRAN,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

ANNEXURE 'B'

MEMORANDUM OF SETTLEMENT.

As a result of the discussions held between

The Management of Voltas Limited (hereinafter referred to as 'The Company') represented by Mr. S. C. Bakshi and Mr. A. A. Gajendragadkar

and

The All India Voltas and Volkart Employees Federation (hereinafter referred to as 'The Federation') represented by Mr. F. A. P. D'Souza, Mr. N. R. Sen and Mr. C. P. N. Nair.

The Charter of Demands dated 3rd August 1965 submitted by the General Secretary of the Federation and covering the concerned employees of the Company's Establishments all over India, has been settled on the following terms:—

1 *Demand No.* 1.—*Age of Superannuation.*—It was agreed by the Company that with effect from the 15th of December 1965, the age of superannuation of the employees would be raised from 58 years (as at present) to 60 years. Accordingly, the six month's notice of superannuation given to the employees will henceforth be given on their attaining the age of 59½ years.

2 *Demand No.* 2.—*Gratuity.*—There will be no improvement or amendment of the existing terms and conditions relating to the payment of 'gratuity' by the Company.

3 *Demand No.* 3.—*Medical Benefits*—The following improvements in the provisions made in Clauses 3(*d*) and (*e*) of the existing Medical Scheme will come into effect from 15th December 1965:

3(*d*) Reimbursement to an employee relative to a period of illness at any one time on all counts shall not exceed 50 per cent of the medical expenses incurred or Rs. 50 (rupees fifty) whichever is lower.

3(*e*) The maximum reimbursement to any one employee during one calendar year would be Rs. 75 (Rupees seventy-five).

4 *Demand Nos.* 4, 5, 6 *and* 7—*Travelling Bhatta, Leave, Five-day week and Free Lunch.*—(*a*) These matters, though stated in the Federation's Charter of Demands, were not discussed between the parties as the items did not fall within the scope of the subjects covered by the terms of recognition of the Federation.

(*b*) As regards the request of the Federation to grant Special Leave to the delegates from constituent unions to attend the meetings of the Federation, the Company made no commitments at present but agreed to discuss the matter further with the Federation.

5 It was agreed that this settlement will come into effect as from 15th of December 1965 and shall remain in force for a period of two years from that date. It will also continue thereafter until the expiry of two months' written notice of termination that may be given by either party.

Signed at Bombay this 16*th day of December* 1965.

For and on behalf of the
ALL INDIA VOLTAS & VOLKART
EMPLOYEES FEDERATION
(Sd.) C. P. N. Nair,
Asst. Secretary.

For and on behalf of
VOLTAS LIMITED
(Sd). S. C. Bakshi,
Manager,
Central Personnel Dept.

(Copy)

(Sd.) K. S. Subrahmanya
Party I

(Sd.) V. S. Sankunni,
Party II

"TRUE COPY"

V. C. Ramachandran,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

(On Rs. 3 Stamp Paper)

MEMORANDUM OF SETTLEMENT

(Under Section 18(1) of the Industrial Disputes Act, 1947.)

Names of Parties :

(1) Voltas Limited, 19 Graham Road, Ballard Estate, Bombay-1 (hereinafter referred to as the 'Company')

(2) The All India Voltas and Volkart Employees Federation, 19, Graham Road, Ballard Estate, Bombay (hereinafter referred to as 'The Federation').

Representing the Company :

1. Mr. S. C. Bakhshi, Departmental Manager, Central Personnel Department, Voltas Ltd., Bombay.
2. Mr. A. A. Gajendragadkar, Industrial Relations Officer-Voltas Limited, Bombay.

Representing Workmen :

1. Mr. F. A. P. D'Souza, President
2. Mr. N. R. Sen, General Secretary
3. Mr. C. P. N. Nair, Asstt. Secretary

} The All India Voltas & Volkart Employees Federation.

Short Recital of the Case :—

The All India Voltas and Volkart Employees Federation submitted a Charter of Demands on 3rd August 1965 for various items amongst which were travelling bhatta and class of travel. The overtime for drivers sent to jobs away from their headquarters was also discussed by mutual consent of the parties. After discussions, the following settlement has been arrived at :—

TERMS OF SETTLEMENT

1 ***Travelling Bhatta & Class of Travel***

It is hereby agreed that the following schedule of Daily Bhatta an

Class of Travel will be introduced with effect from 1st January 1967 :—

Basic Salary	Normal Bhatta	Bhatta for Metropolitan towns.	Class of travel	Incidentals
Up to Rs. 74.	Rs. 6.00	Rs. 7.50	II (If the particular train does not have Class II, then by Class III)	At actuals
Rs. 75 to Rs. 149	Rs. 8-50.	Rs. 10.50	II by day I by night. (If night travel is involved in the same journey or if the particular train does not have Class II, then Class I by day also)	do
Rs. 150 to Rs. 99	Rs. 10.50	Rs. 12.50	I	do
Rs. 300 & above	Rs. 12.50	Rs. 15.00	I	do
Salesmen	Rs. 12.50	Rs. 15.00	I	

NOTE :—(1) Bhatta for Metropolitan towns will be payable to employees deputed to work outside their headquarters at Bombay, Calcutta, Madras, Delhi, Bangalore, Secunderabad, Ahmedabad.

(2) Brach Managements/Divisional/Departmental Heads will have the discretion to permit Bhatta at the Metropolitan Towns rates for other places also if sufficient justification is found which would be determined from case to case;

(3) If any individual employee is entitled to a higher bhatta or higher class of travel at present, he will continue to get the same but new employees in categories concerned will be governed by the Bhatta Schedule as above.

II *Overtime for Drivers sent to Jobs away from their Head-quarters*:—

1. If a driver is sent on a job away from his headquarters and is asked to work beyond his normal periods of work, he will be paid overtime at the following rate:—

(*a*) If the overtime goes beyond the normal total duty hours per day/per week but within the limit of 9 hours per day or 48 hours per week, her would be paid overtime at single rate.

(*b*) If a driver is asked to work overtime beyond 9 hours on any day or 48 hours in any week, the overtime would be at the rate applicable to his establishment.

2. He will also be paid overtime for work before 6 a.m. in the morning and after 8 p.m. at night.

3. If the driver is completely off duty for more then 2 hours such period will not be counted as hours of duty and will be treated as recess.

The Federation agrees to direct its constituent Unions to withdraw any dispute on the above two subjects pending before any tribunal, Conciliation Offic-r or any other authority. These disputes will be treated as having been settled in terms of this settlement. This Settlement will supersede all the existing settlement on these points at the Branches/Offices of the Company. Accordingly, negotiations at any of the Branches on the above two subjects will be discontinued.

It is agreed that this settlement will come into effect as from the 1st of January 1967. It will remain in force for a perioed of two years from this date (27th April 1967) and will continu thereafter

until the expiry of two months' written notice of termination that may be given by either party.

Signed at Bombay this 27th day of April 1967.

VOLTAS LIMITED

For the ALL INDIA VOLTAS & VOLKART EMPLOYEES FEDERATION,

(Sd). A. A. Gajendragadkar.
Industrial Relations Officer.

(Sd). N. R. Sen,
General Secretary.

Witnesses: (Sd) Robin Roy
(Sd) R. K. Mathur.

Witnesses: (1) (Sd) A. C. Raghavan
(2) (Sd). B. Ramamoorthy.

(Copy)

Sd.: K. Subrahmanya,
Party I.

(Sd.) V. S. Sankunni,
Party II.

"TRUE COPY"

V. C. Ramachandran,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

ORDER

Bangalore dated 23rd October 1967.

S. O. 2099.—WHEREAS by State Government Order No. PLM 486 LLD 65, dated 25th November 1965 the Industrial Dispute between the Workmen and the Management of Voltas, Ltd., 21, Kasturba Road, Bangalore-1. was referred to the Industrial Tribunal, Bangalore for adjudication.

AND WHEREAS this reference was transferred to A. I. Tribunal, Bangalore by G. O. No. LMA 595 LLE 66. dated 17th December 1966.

AND WHEREAS the Additional Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. PLM 486 LLD 65.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT, *Under Secy.*

1355

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen an the Management of M/s. Joe Tile Works, Haige Bazaar, Mangalore-1.

Award of the Labour Court, Bangalore—Published.

Read the following papers :—

(1) Letter No. 783/67-68, dated 23-d October 1967, from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 23rd day of October 1967.

Present :

Sri P. T. Kadkol, B.Sc., LL.B. ... Presiding Officer.

Reference No. 84 of 1966

Workmen represented by the Secretary, S. K. Tile Workers' Union, Bolar, Mangalore ... *I Party.*

Vs

The Management of M/s. Joe Tile Works, Haige Bazaar, Mangalore-1 ... *II Party.*

Reference.

Government Order No. LMA 245 LLD 66, dated 28th June 1966.

AWARD

The Government of Mysore being of opinion that an Industrial Dispute exists between the Workmen and the Management of M/s. Joe Tile Works, Mangalore, have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 245 LLD 66, dated 28th June

1966, setting out the following points of dispute for adjudication :—

"Whether the Management of M/s. Joe Tile Works, Haige Bazaar, Mangalore-1, are justified in terminating the services of Smt. Vamani Hengsu on or about 22nd January 1966 and if not justified to what relief including reinstatement, back wages continuity of service, she is entitled to ?"

2. The cause of the aggrieved worker Smt. Vamani has been sponsored by the S. K. Tile Workers' Union, Mangalore which is a registered Trade Union. This Union as representing the workmen is the first party and the management of M/s. Joe Tile Works, Mangalore is the second party in this proceeding.

3. In response to the notice issued by the Court the parties have submitted their respective statements. On the basis of these pleadings some issues were framed and set down for hearing on 28th March 1967 (*Vide* Order Sheet)

4. On 17th October 1967 when the case came on for hearing at Mangalore Camp. both the parties appeared through their representatives and filed a joint memo of settlement and prayed for an award being passed in terms thereof. The memo was recorded and marked Ex. A. It is seen from the settlement that the second party has agreed to pay and the first party has agreed to receive a sum of Rs. 100 in full and final settlement of the claims made by the first party in this dispute. I am of opinion that the terms of the settlement are fair and reasonable. I accept the settlement and proceed to pass an Award as under :—

AWARD

Reference is accepted. An Award is made between the parties in terms of the settlement, Ex. A, which should be annexed to this Award and be deemed as forming part of it. I order each party to bear their own costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"COPY"

P. T KADKOL,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE LABOUR COURT, BANGALORE.

Reference No. I.D. 84 of 1966.

Between:

The Workmen ... I Party.

And

The Management of Joe Tile Works ... II Party.

JOINT MEMO

1. The II Party agree to pay a sum of Rs. 100 (Rupees One Hundred only) to the worker Smt. Vamani in full and final settlement of her claims in the dispute.

2. The said amount will be paid by means of a cheque drawn in the name of the representative of the worker on 18th October 1967.

3. In view of the above terms the first party does not press reinstatement and accept the said amount in full satisfaction of the claim.

4. It is prayed that the Honourable Court may be pleased to pass an Award in terms of this Joint memo.

(Sd.) Srinivasan,
17-10-1967.

(Sd) J. A. Britto
17-10-1967

Managing Partner,
Joe Tile Works.

Filed, recorded and marked Ex. A.
Intd. P. T. K
17-10-1967

"Copy"

P. T. KADKOL
Presiding Officer,
Labour Court, Bangalore.
23-10-1967

ORDER

Bangalore, dated 27th October 1967.

S. O. 2100.—WHEREAS by State Government Order No. LMA 245 LLD 66, dated 28th June 1966, the Industrial Dispute between the Workmen and the Management of M/s Joe Tile Works, Haige Bazaar, Mangalore-1, was referred to the Labour Court, Bangalore for adjudication;

AND WHEREAS the Labour Court, has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore, are pleased to direct the publication of the said award as above in the *Mysore Gazette*

[No. LMA 245 LLD 66.]

By Order and in the name of the Governor of Mysore,

1375 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Zamrud Printing Press, Market Road, Gulbarga.

Award of the Labour Court, Hubli: Published.

Read the following papers:

1. Letter No. 14f0/67-68, dated 30th September 1967 from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Date: 30*th September* 1967.

Reference (ID) (LCH) No. 77 of 1966

Present:

Shri Syed Azizuddin Ahmed, M.A., B.L., ... *Presiding Officer.*

Between

The Workmen of Zamrud Printing Press, Market Road, Gulbarga, represented by the President, Divisional Printing Press Workers' Union, Gulbarga. ... *I Party.*

and

The Management of Zamrud Printing Press, Market Road, Gulbarga. ... *II Party.*

The Government of Mysore being of the opinion that an industrial dispute exists between the Workmen and the Management of Zamrud Printing Press, Market Road, Gulbarga have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 465 LLD 66, dated 5th December 1966. The points of dispute referred for adjudication are as under:

> "Is the Management of Zamrud Press, Market Road, Gulbarga justified in removing from the services the following two workers?

(1) Sbri Khurshid Ali (2) Sbri Shaik Nadeem.
If not, are they entitled for reinstatement with continuity of service?"

2. The cause of the aggrieved workmen has been sponscred and espoused by the Divisional Printing Press Worker's Union, Gulbarga, represented by its President. Sri M. I. Junedi, Presiden of the Union appeared for the first party while no one appeared for the second party. Notices were issued more than once to the second party but they were returned unserved. Hence, it was set *ex parte*. The aggrieved workmen Sri Khurshid Ali and Sri Shaik Nadeem have filed seperate claim statements.

3 The sum and substance of the claim statement of Khurshid Ali is that he was employed with the second party from the year 1952 to 29th March 1966 on which day he was for no reason whatsoever dismissed. He used to draw a salary of Rs. 100 P.M. The dismissal was caused on a very silly excuse namely that on 29th March 1966 he happened to be late in reporting to his work by just 3 hours. He was first allowed to go ahead and attend to his work but in the meantime Sri Abdul Khader approached him and started abusing him in vulgar language. He caught hold of his shervani and tore the button of the shervani and assaulted him He then necked him out of the premises and threatened violence saying that he could go to any Court or Tribunal and none could do anything to him on this earth Sri Khurshid Ali wanted to go to the Police but he was advised by old timers not to spend any money on this score. The aggrieved workman has thus been removed from service for no fault what so ever and was subjected to great humiliation and rightly deserves reinstatement in his job with full back wages an all other benefits and contiquity of service. The claim statement contains the details of the benefits claimed on his behalf.

4 The case of Shaik Nadeem is that he was working as a composer under the second party from the year 1946 to 14th February 1966. He was a regular worker and a very obedient one. He was drawing a salary of Rs. 90 per month. It so happened that he fell ill a day prior to 14th February 1966. On this day he sent the intimation of sickness to the second party. On 16th February 1966 he went to the printing press and requested the Management to pay him some money as he was badly in need of it to purchase medicines. Instead of sympathising with the

employee the second party merely paid him Rs. 22 being his wages from 8th February 1966 to 14th February 1966 and told him that he was sacked. Thus the second party without any reason whatsoever terminated the service of the workman without following any procedure and throwing all canons of law to the winds. Thus the termination of the service of the employee was most unreasonable, unilateral and illegal. It was prayed that he may be reinstated in his original post with full back wages and continuity of service or in the alternative to pay him suitable compensation as per law. The claim statement details the other benefits claimed on behalf of the workman.

5. The points of dispute specified in the order of reference were adopted as issues in the case. Both the aggrieved workmen examined themselves and closed their oral evidence. In all the first party got marked 10 documents as exhibits in the case.

FINDINGS

6. The important point that arises for determination is whether the management was justified in dispensing with the services of the aggrieved workmen. I shall discuss the oral evidence first. The sum and substance of the sworn statement of Khurshid Ali W-W 1 is that he joined the service of the second party in the year 1353 Fasli. He used to work in the printing as well as the binding sections. In the year 1948 after the Police action he left Gulbarga and went away to Hyderabad When he returned in 1952 the management took him in their press as a fresher. He worked here till 29th March 1966. On this day he came late to the press by 20 minutes. Thereupon the management refused to take him on duty. Mr Abdul Khadar who was working there as manager caught hold of his shirt. This matter was compounded, so he did not inform the Police. On that day other workers had come later than him to the press but they were taken on work, and he was discriminated.

7. The sworn testimony of Shaik Nadeem W-W-2 is that he was working in the Ali Hajaz Press Bombay in the year 1947. In the month of August 1947 he came to Gulbarga. After staying here for some time he wanted to return to Bombay. At that time Abdul Kareem and Abdul Gafoor the proprietors of the press asked him to work in the press and prevailed upon him to join their

service. He worked with the second party till 1952. When the management removed him from service he made an application to the Labour as a result of which he was taken back in service. On 13th January 1965 he fell ill. He informed this to the management on 14th and 15th January 1966. On 16th January 1966 he asked the management to pay him either a loan or something by way of salary. They paid his one week's wages Rs. 22-50. After 4 days he again asked for a loan. Thereupon they refused to pay him loan and terminated his services. He has put in 20 years service with the management. His salary was Rs. 90 per month.

8. The attitude of the manggement was not helpful in the case. But the workmen cannot be reinstated in service because of any laps on the part of the management they have to establish by positive evidence that they were in service of the management and that services were dispensed with illegally.

I shall first examine the case of Kurshid Ali. Here is a workmen who went to his job 3 hours late and says that he was late just late by 3 hours, as though they were only 3 seconds. In his sworn testimony he modifies his statement by saying that he was late by 20 minutes only. On his own admission the other who had come to the press later than him were allowed to work but he alone was maltreated and discontinued. I am not prepared to give any credence to this piece of statement. The question is why should the management discriminated the particular workmen. He seems to be a stormy petrel. In his claim statement he stated that Abdul Khadar caught hold of his Shervani and tore away the buttons from his Shervani and assaulted him. In his testimony before the Court he deposed that Abdul Khadar had caught hold of his shirt. It has been rightly said that false witnesses have short memories. No management worth the name would tolerate latte coming on the part of their employees. Kburshid Ali stands self condemned. He was late by 3 hours. He had a quarrel with the management and the later was perfectly justified in putting an end to his service.

9. I shall next consider the case of Sri Shaik Nadeem. He is another stormy petrel. He admits in his sworn testimony that in the year 1952 the management has terminated his services. But hastened to add that he was taken back in service when he made an application to the Labour Officer. I fail to understand how the management who had removed him from service took him

back in service when he just made a complaint to the labour officer : even without the intervention of the Labour Officer. The whole story set up by him is a travesty of truth. He has filed no less than 10 documents but most of them are fit to be food for the Waste Paper Bask-t. I have before me a document Exh. W-1 filed by the first party relating to Shaik Nadeem. It is a letter from Shaik Nadeem while he was working in the Al Hijaz Printing Press, Bombay. I shall reproduce here the first few lines. They run thus.

> "The amount of pay of mine due from you and also the bonus for about 4 or 5 years has not been paid to me, and it is not understood as to why the said delay is being done in the payment thereof. I have already requested to settle the said accounts of mine and remit to my Bombay address."

This letter ends on a note. This is a very important note and throws a flood of light on the claim of the workman. It runs thus

> "In the month of December 1951 without any mistake being committed by me, without any reason, you have informed me about the termination of my service instantaneously after putting up a service of about 4 or 5 years under you and the treatment has been meted out as if with an ordinary coolie or labourer. Please note that the present is not the "asafia" reign. Inspite of this I had been waiting for a long period of 5 months and I have found to my great regret that no reply what so ever has come out of the repeated correspondence entered into with you. nor any other satisfactory out come has come out. And seeing such an attitude from you, I have been compelled to adopt such proceeding, as stated herein above. I once again wait for one more week, and later on you may not state that you were unaware of.

Yours faithfully

dated : 31st May 1952

Sd/Shaik Nadeem,
for Zamarrud Press,
Gulbarga.

From a perusal of the document it is crystle clear that his services had been dispensed with as back as in the year 1951 itself and he had joined the service of Al Hijaz Printing Press, Bombay. He wanted the second party to settle off his accounts even. Now he wants the Court to believe that after terminating his services the second party and again taken him back in service. There is no cogent and reliable evidence to substantiate his claim. It is hard to believe that the management would have taken him back in service when he had addressed them in such harsh language. It is equally difficult to believe that Shaik Nadeem who was well placed in Al Hijaz Printing Press, Bombay would have come down to Gulbarga. It is no wonder that after quiting the Al Hijaz Printing Press, Bombay later he thought of raising some dispute with the second party and to settle his old differences with them. There is yet another document of importance. It is Exh. W-1 (a). In this document he writes "The Proprietor of this press is Mr. Abdul Kareem who has handed over the charge of the press to Mr. Abdul Qadir, Demonstrator of Engineering College, Gulbarga who is his nearest relation. The intention of the proprietor is to abolish the previous services of we poor Labourers. The charge was handed over on 1st January 1966". From this it is apparent that there is a change in the proprietorship of the press on 1st January 1966. This important fact has not been divulged in the claim statement of both the workmen. The previous proprietor and the present ought to have been made proforma parties to the reference. Exh. W-3 is an old diary. Exh. W-3 is a piece of paper exhibiting the various specimens of the types in the press. Exh W—4 is a blank proforma of the duty card. Exh. W—5 and W—6 are the letters dated 24th September 1947 and 16th October 1954 respectively addressed to Shaik Nadeem. Exh. W—7 is another letter dated 11th June 1947. Exh. W-8 is yet another later dated 22nd August 1949 addressed to Shri. Shaik Nadeem informing that the testicles of one Basher Ahmed had become swollen and needed operation. Exh. W-9 is a post card dated 11th August 1949 and Exh. W-10 is a postal acknowledgement receipt purporting to have been sent by Shaik Nadeem on 31st May 1952 while he has working in Al Hijaz Printing Press Bombay. It is beyond ones comprehension how these documents could corroborate the claim statement of the aggrieved workmen. Shaik Nadeem is a person who has already attained the age of superannuation. There can be no question of his reinstatement at this length of time. Both the workmen lay claim to certain benefits viz, service gratuity and leave wages etc. The question of their entitlement to benefits does not find a place in the points of dispute specified in the order of reference. So

this point cannot be considered at all. However there is nothing on record to show that the gratuity scheme was in force in the second party concern. Leave wages is a benefit to be enjoyed and not encashed. They are not entitled to notice pay. As a natural corolary to the above discussion the points of dispute referred for adjudication are answered against the first party.

AWARD

The management of Zamrud Printing Press, Gulbarga was justified in removing from the service Sri Khurshid Ali. Shaik Nadeem appears to have given up the service of the second party as early as 1951. There is nothing to show that the second party had terminated the services of Shri Shaik Nadeem. The parties shall bear their own costs.

Place : Hubli.
Date : 30-9-1967

Syed Azizuddin Ahmed
Presiding Officer,
Labour Court, Hubli

ANNEXURE

List of Witnesses examined by the first Party

W.W. 1 Shri. Khurshid Ali.
W.W. 2 Shri. Shaik Nadeem.

List of Witnesses examined by the Second Party

Nil

List of Documents marked by the first Party

Exhibits:

W-1 Letter dated 31st May 1952 by W.W. 2 addressed to second party.

W-1-A Copy of letter dated 29th March 1966 by workmen of second party.

W-2 Old Diary.
W-3 Printed piece of paper exhibiting various types.
W-4 Blank proforma of the duty card.
W-5 & W-6 Letters dated 24th September 1947 and 16th October 1954 respectively.
W-7 Letter dated 11th June 1947.
W-8 Letter dated 22nd August 1949. addressed to W.W. 2
W-9 Post card dated 11th August 1949.
W-10 Postal acknowledgement receipt.

Place. Hubli
Date. 30-9-1967

Syed Azizuddin Ahmed
Presiding Officer,
Labour Court, Hubli.

ORDER

Bangalore, dated the 20th October 1967.

S.O. 2101.—WHEREAS by State Government Order No. LMA 465 LLD 66, dated 5th December 1966 the Industrial Dispute between the Workmen and the Management of Zamrud Printing Press, Market Road, Gulbarga was referred to the Labour Court, Hubli for adjudication;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 465 LLD 66.]

By Order and in the name of the Governor of Mysore,

1321 G. G. PUROHIT, *Under Secy.*

Food, Civil Supplies and Labour Secretariat

NOTIFICATION

Bangalore, dated 31st October 1967.

S.O. 2102.—In exercise of the powers conferred by sub-section (2) of Section 8 of the Factories Act, 1948 (Central Act 63 of 1948), and in supersession of Notification No. LMA 215 LFB 65 dated 25th March, 1966 issued in this behalf, the Government of Mysore hereby appoints Shri A. P. Balakrishna, Chief Inspector of Factories and Boilers to be the Chief Inspector for the purpose of the said Act.

No. FCL 192 LFB (II) 66.]

By Order and in the name of the Governor of Mysore,

1376 G. G. Purohit, *Under Secy.*

NOTIFICATION.

Bangalore, dated 31st October 1967.

S. O. 2103—In exercise of the powers conferred by sub-section (4) of Section 5 of the Indian Boilers Act, 1923 (Central Act 5 of 1923), and in supersession of Notification No. LMA 215 LFB 65 dated 25th March, 1966 issued in this behalf, the Government of Mysore hereby appoints Shri A. P. Balakrishna, Chief Inspector of Factories and Boilers to be the Chief Inspector for the purpose of the said Act.

[No. FCL 192 LFB (III) 66.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT, *Under Secy.*

1377

EDUCATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated 30th October 1967.

S. O. 2104.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the Rural Arts College, Kagwad to the Karnatak University, for teaching Pre-University Course Arts and B.A. Part one course for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University as also to the condition that the management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year about it financial position.

[No. ED 94 UAC 67.]

By Order and in the name of the Governor of Mysore,

1379 S. N. SREENATH, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore-1, *dated* 26*th October* 1967.

S.O. 2105.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Corundum to Shri Sathyanarayanaswamy in the following areas of the Channapatna Taluk, Bangalore District on the terms and conditions mentioned below :—

Village	*S. Nos.*	*Area*
Tenkanahalli	47	29 acres (11-73 hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and conditions—

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government.

2. The licensee shall pay to Government a prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year.

3. The quantity of ore to be removed under this license, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14(ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in second schedule to the Mines and

Minerals (Regulation and Development) Act, 1957, and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) ; .

6. If any other mineral is traced during the course of prospecting the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose and information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central Government or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically ; and

12. The licensee shall not give any ore-raising contract during the prospecting stage ;

13. The area mentioned above is subject to verification after actual survey.

[No. CI 162 EPO 67.]

By Order and in the name of the Governor of Mysore,

N. NARAYANASWAMY,

Under Secretary to Government,

1369 *Commerce and Industries Department.*

GOVERNMENT OF MYSORE

(COMMERCE AND INDUSTRIES DEPARTMENT)

Subject.—**Determination of Mining Lease granted to M/s. C. Didwamia, Bombay for Manganese ore over an area of 75 acres in F. S. No. 14 and 25 of Viral Village, Supa Petha Taluk, North Kanara District for a period of 20 years.**

READ.—

1. Government Order No. CI 8 MNL 57, dated 26th October 1957.

2. Government Letter No. 86 EMI 67, dated 30th June/1st July 1967.

3. Correspondence ending with letter No. 93 DTN 67, dated 9th October 1967 from the Director of Mines and Geology, Bangalore.

PREAMBLE—

Government in their Notification read at (i) above, sanctioned the grant of Mining Lease over the above mentioned area to M/s. C. Didwamia, Bombay and the said lease bearing No. 380 was executed on dated 4th April 1958.

2. In the Government letter at (ii) read above, Government issued a notice to the lessee calling upon him to pay the arrears of Rs. 1,125 towards dead rent due to Government, within a period of sixty days from the date of that letter, failing which further proceedings would be taken to determine the Mining Lease in question and also forfeit the whole of the Security Deposit paid by the lessee on this account.

3. The Director of Mines and Geology, Bangalore, in his letter read at (iii) above, reports that M/s. C. Didwamia, Bombay, has neither responded to the Government letter read at (ii) above nor has he taken any steps to clear arrears of Rs. 1,125 due to Government and hence the Director advises Government that the Mining Lease in question may be determined.

ORDER.

Bangalore, dated the 26th October 1967.

S. O. 2106.—Government hereby order determination of the above mentioned Mining Lease granted to M/s. C. Didwamia, Bombay-1, with effect from 31st August 1967 and also the adjustment of the Security Deposit, etc., paid by the lessee against the dues.

[No. CI 86 EMI 67.]

By Order and in the name of the Governor of Mysore,

1370

N. NARAYANASWAMY, *Under Secy. to Govt., C. and I. Dept.*

GOVERNMENT OF MYSORE

(COMMERCE AND INDUSTRIES DEPARTMENT)

Subject.—**Determination of Mining Lease granted to Shri Ramakishandas Bansidhar Bedia, Bombay for Manganese ore over an area of 170 acres in F. S. No. 39 of Bazar Kunang Villages, Supapetha Taluk, North Kanara District for a period of 20 years.**

READ—

(i) Government Order No. CI 215 MNL 57, dated 11th January 1958.

(ii) Government letter No. CI 78 EMI 67, dated 26/27th June 1967.

(iii) Letter No. 91 DTN 67, dated 9th October 1967 from the Director of Mines and Geology, Bangalore.

PREAMBLE.—

Government in their Notification read at (i) above, sanctioned the grant of Mining Lease over the above mentioned area to Shri Ramakishandas Bansidhar Bedia, Bombay and the said lease bearing No. 403 was executed on 30th January 1958.

In the Government letter at (ii) read above, Government issued a notice to the lessee calling upon him to pay the arrears of Rs. 2,550 towards dead rent due to Government, within a period of sixty days from the date of that letter, failing which further proceedings would be taken to determine the Mining Lease in question and also forfeit the whole of the Security Deposit paid by the lessee on this account.

The Director of Mines and Geology, Bangalore, in his letter read at (iii) above, reports that Shri Ramakishandas Bansidhar Bedia, Bombay has neither responded to the Government letter read at (ii) above nor has he taken any steps to clear the arrears of Rs. 2,550 due to Government and hence the Director advises Government that the Mining Lease in question may be determined.

ORDER.

Bangalore, dated 28th October 1967.

S. O. 2107.—Government hereby order determination of the above mentioned Mining Lease granted to Shri Ramakishandas Bansidhar Bedia with effect from 27th August 1967 and also the adjustment of the Security Deposit, etc., paid by the lessee against the dues.

[No. CI 78 EMI 67.]

By Order and in the name of the Governor of Mysore,

1373 N. NARAYANASWAMY, *Under Secy.*

EDUCATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated 28th—30th October 1967.

S. O. 2108.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the B. M. Shetty First Grade College, Konanur to the Mysore University, for teaching the following courses :—

(i) Pre-University Course Arts–History, Economics Logic.	
(ii) Pre-University Course Science–Physics, Chemistry, Mathematics. Physics, Chemistry, Biology.	64 students for each combination.
(iii) Pre-University Course Commerce–History Economics, Commerce.	
(iv) B. A. Degree (First Year). History, Economics (Majors), Sociology (Minor). History, Economics (Majors), English (Minor).	
(v) B. A. Degree (Second Year). History, Economics (Majors), Sociology (Minor).	
(vi) B. A., Degree (Third Year). History, Economics (Majors), Sociology (Minor).	

for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 82 UAC 67.]

By Order and in the name of the Governor of Mysore,

1368 S. N. SREENATH, *Under Secy.*

DEVELOPMENT, HOUSING, PANCHAYATI RAJ AND CO-OPERATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated 30th October 1967.

S. O. 2109.—WHEREAS by Government Notification, Revenue Department No. 6875/39 dated the 16th February 1943, issued under sub-section (1) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of Kapas and lint in the area of Gadag Taluka of Dharwar District and declare it to be a market area ;

AND WHEREAS by Government Notification, Revenue Department No. 6875/39 dated the 7th May 1948, issued under sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of Groundnut (shelled and unshelled) and safflower in addition to cotton (Ginned and unginned) and lint in the said market area ;

AND WHEREAS by Government Notification Development Department No.APM 5953' dated the 23rd November 1953 issued under sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act 1939, (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of Linseed, Sesamum, Castor Seed, Tur, Mung, Math, Udid, Kulthi and Betel leaves in addition to cotton (ginned and unginned), lint, groundnut (shelled and unshelled) and safflower, in the said market area ;

AND WHEREAS by Government Notification, Development Department No. PMA 5954, dated the 28th April 1955 issued under sub-section (4) of section 4 of the Bombay Agricultural Produce Markets Act 1939 (Bombay Act XXII of 1939) the Government of Bombay was pleased to regulate

the purchase and sale of Jowar, Wheat, Gram and Corriander in addition to cotton (ginned and unginned) lint, Groundnut (shelled and unshelled), Safflower, Linseed, Seasmum, Castor seed, Tur, Mung, Math, Udid, Kulthi and Betel-leaves in the said Market area ;

AND WHEREAS by Government Notification No. DPC 70 CMD 67, dated the 29th May 1967, issued under sub-section (4) of section 4 read with section 3 of the Bombay Agricultural Produce Markets Act 1939, (Bombay Act XXII of 1939), the Government of Mysore declared its intention of regulate the purchase and sale of Cattle, Sheep, Goats, Vegetables namely Potato, Onion, Tomato, Suram, Leafy and fresh Vegetables, Yam, Sweet potatoes and Kuchara and wet chillies in addition to cotton (ginned and unginned) lint, Groundnut (shelled and unshelled) safflower, Linseed, Sesamum, Castorseed, Tur, Mung, Math, Udid, Kulthi, Betelnut, Jowar, Wheat, Gram and Corriander in the said Market area.

NOW THEREFORE in exercise of the powers conferred by sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939) as in force in the Bombay area, the Government of Mysore hereby declares that with effect from 16th November 1967 the said area shall be a Market area for the purposes of the said Act in respect of Cattle, Sheep, Goats, Vegetables, namely Potato, Onion, Tomato, Suram, Leafy and fresh Vegetables, Yam and sweet potatoes, and Kuchara and Wet chillies in addition to cotton (ginned and unginned) lint, Groundnut (shelled and unshelled) Safflower, Linseed, Sesamum, Castorseed, Tur, Mung, Math, Udid, Kulthi, Betel nuts, Jowar Wheat, Gram and Corriander.

[No. DPC 70 CMD 67.]

By Order and in the name of the Governor of Mysore,

S. V. PRABHU, *Under Secretary.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 25th October 1967.

S.O. 2110—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, and as directed by Government of India, under Rule 55 of the Mineral Concession Rules, 1960, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Manganese and Iron Ore to Shri K. Raghavendra Rao in the following areas of the Holalkere Taluk, Chitradurga District, on the terms and conditions mentioned below :—

Village	*S. Nos.*	*Area*
Hirekandavadi	As per Sketch	80 acres. (32.37 hectares).

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and conditions—

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government.

2. The licensee shall pay to Government a prospecting fee of Rs. 2-50 (Rupees two and paise fifty)per hectare of the land covered by the licence for each or portion of a year.

3. The quantity of ore to be removed under this license, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14(ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty

payable on the minerals shall be in accordance with the rates prescribed in Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) ;

6. If any other mineral is traced during the course of prospecting the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central Government or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as Security a sum of Rs. 200 (Two hundred rupees) in respect of every squar kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence;

11. The licensee shall engage a qualified geolagist or a mining Engineer to conduct the prospecting methodically;

12. The licensee shall not give any ore-raising contract during the prospecting stage; and

13. The area mentioned above is subject to verification after actual survey.

[No. CI 22 EPO 67].

By Order and in the name of the Governor of Mysore,

1372 N. NARAYANASWAMY, *Under Secy.*

HOME SECRETARIAT

NOTIFICATION.

Bangalore, dated 31st October 1967.

S. O. 2111.—WHEREAS the Government of Mysore considers that it is necessary to fix the rates of freight charges for the postal mails carried in stage carriages owned by operators other than the State Transport Undertakings in the State of Mysore. Now therefore the following draft of the directions which the Government of Mysore proposes to issue to the State Transport Authority in exercise of the powers conferred by sub-section (1) of the Section 43 of the Motor Vehicles Act, 1939 (Central Act 4 1939), and in supersession of the draft directions already notified in the *Mysore Gazette* dated 10th August 1967, under Notification No. HD 350 TMA 65, dated 3rd August 1967, is hereby published for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 11th December 1967.

Objections or suggestions which may be received from any person by the State Government in respect of the said draft before the date specified above will be considered by the Government. Objections or suggestions may be addressed to the Secretary to Government, Home Department, Vidhana Soudha, Bangalore-1.

Draft Directions

The State Transport Authority is directed to fix the rates of freight chargeable in respect of postal mails carried in State Carriages owned by operators other than the State Transport Undertakings in the State having regard to the following matters namely :—

"(1) Subject to a minimum of rupees fifteen per month the rate of freight charges shall be fixed at the rate of half the maximum passenger fare per Kilometre for every 37.2. Kgs.

(2) In cases where the stage carriages have to divert from their normal route for the sole purpose of picking up or setting down the Postal Mails, an additional amount at the rate of 62 paise per Kilometre shall be charged ; and

(3) The weight of the mails shall be equal to the average of the mails weighed for all the seven days in a week on the routes where mails are carried on all the days of the month and for the six days in a week where they are not carried on Sundays. The freight rate per month shall be worked out on the basis of 30 days or 26 days a month as the case may be.

[No. HD 350 TMA 65.]

By Order and in the name of the Governor of Mysore,

1387 C. RAJANNA, *Under Secretary.*

Food, Civil Supplies and Labour Secretariat

NOTIFICATION.

Bangalore, dated 7th November 1967.

S.O. 2112.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 3 and sub-section (2) of Section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948) the Government of Mysore hereby revises with effect from 1st December 1967 the minimum rates of wages for the classes of employment in any Printing Press specified in column (1) of the Schedule as indicated in the corresponding entries in column (2) thereof:—

SCHEDULE

Classes of Employment	All inclusive Minimum rates of wages.
1	2
	Rs. ps.
I. Skilled.—	
1 Compositor.	
2 Printer.	
3 Binder.	
4 Mono-Caster.	
5 Type-Caster.	3.35 per day.
6 Block maker.	
7 Process Engraver.	
8 Proof Reader.	
9 Cylinderman.	
10 Treadle Pressman/Plateman.	
II. Semi Skilled.—	
1 Roling Feeder.	
2 Letter Press Feeder.	
3 Checker.	
4 Packer.	2.60 per day.
5 Perforator.	
6 Cutter/Sewer/Folder.	
7 Sewing Machineman	
8 Apprentice.	
9 Assistant to skilled worker.	

1		3
III. Un-Skilled.—		
1 Peon/Watchman/Office Boy. 2 Sweeper. 3 Cleaner.	}	2.25 per day
IV. Office Staff.—		
1 Clerk, Typist. Cashier and Store Keeper.		115.00 per month

[No. FCL 4 LMW 67]

By Order and in the name of the Governor of Mysore,

1400 G. G. PUROHIT, *Under Secretary.*

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, Blore.

PART IV

Section 2-C—(ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute, between the workmen and the Management of Janson Surgical Co., No. 70, Arcot Srinivasachar Street, Bangalore-2.

Award of the Labour Court, Bangalore—published.

Read the following papers :

(1) Letter No. 803/67-68, dated 23rd October 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 23rd day of October 1967.

PRESENT :

Sri P. T. Kadkol, B.SC., LL.B. .. *Presiding Officer.*

Reference No. 7 of 1967.

Sri A. C. Visweswaran, No. 103, Veerapillay Street, Civil Station, Bangalore-1 .. .. *First Party.*

Vs

The Management of Janson Surgical Co., No. 70, Arcot Srinivasachar Street, Bangalore-2 .. .. *Second Party.*

Reference

G. O. No. LMA 9 LLD 67, dated 27th January 1967.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of Janson Surgical Co., Bangalore, have referred it to this court for adjudication under Section 10(1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 9 LLD 67, dated 27th January 1967, setting out the following points of dispute for adjudication :—

> "Is the management of Janson Surgical Co., No. 70, Arcot Srinivasachar Street, Bangalore-2, justified in dismissing Sri A. C. Visweswaran ? If not, what is the relief the petitioner is entitled to ?"

2. Though the Order of Reference mentions the dispute as existing between the workmen and the management of Janson Surgical Co., Bangalore, it is really between the aggrieved workman Mr. A. C. Visweswaran and the Management of Janson Surgical Company, Bangalore. The dispute is regarding the alleged termination of the service of Visveswaran by the Management on 16th April 1966. The Government have made this Reference, presumably under Section 2-A of the Industrial Disputes Act, 1947, read with Section 10 (1) (c) thereof. The cause of Visveswaran has not been sponsored, either by the other workmen in the Establishment or by any Trade Union.

3. Visveswaran has submitted his statement of claims dated 15th March 1967. The averments made by him, therein, these :—

The proprietrix of Janson Surgical Company was one Smt. Chandrabai Ammal. Her husband T. N. Janakiram, was the Manager thereof. He was employed by Chandrabai Ammal and Janakiram in February 1964, on a salary of Rs. 200 per month and a commission of one per cent on the total turn over and bonus equivalent to two months' wages per year. He received his commission of one per cent and bonus for the years 1964 and 1965. His services were terminated without any reasonable cause, with effect from 16th April 1966. The Management owes him Rs. 1,675 as detailed. Hence it should be directed to pay him the said amount, etc.

4. It may be specifically noted here that Visveswaran has prayed for his reinstatement in the Establishment.

5. Mr. T. N. Janakiram has submitted the statement of objections dated 11th May 1967 on behalf of the Management. The contentions raised by him are these :—

The conduct and attitude of Visveswaran were unsatisfactory and his attendance was irregular. He also misappropriated some

amount belonging to the Establishment. When the management questioned him about those matters, Visweswaran voluntarily stayed away from work, with effect from 1st December 1965. It is false to say that he worked till 15th April 1966 and his services were terminated by the Management with effect from the next day. Visveswaran is related to the family. Hence, even after 1st December 1965 the Management used to advance him monies, to meet his needs. Visweswaran has still to account to the Management some articles taken by him, to the value of about Rs. 1,000. If these things are taken into account, it would be seen that the Management owes nothing to Visweswaran. Since March 1966, Visweswaran has started doing business in the same line. The Management has given him some articles on credit for his new business. The Management owes nothing to Visweswaran. Hence the Reference be rejected, etc.

6. On these pleadings, the following additional issues have been framed on 7th June 1967 (*Vide* Order Sheet) and set down for hearing :—

(1) Does the First Party prove that the workman Visweswaran has been dismissed from service by the second party on 16th April 1966 ?

(2) Does the Second Party prove that Visweswaran has abandoned service voluntarily ?

(3) What Award ?

Parties were asked to lead evidence on these issues and they have done so. Visweswaran has examined himself as W.W.1. For the Management, Vijayarangam has been examined as M.W.1. This is all the evidence in the case.

7. As noted by me above, Visweswaran has not prayed that he be reinstated in service under the Management of the Second Party. All that he wants from the Second Party, is a sum of Rs. 1,675 as set out in the statement of claim. This amount is made up of the following items :—

		Rs.
1.	Salary for 5 months and a half from November 1965 to 15th April 1966 at Rs. 200 per month.	1,100 00
2.	Bonus for two months as agreed for the year 1965-66.	400 00

		Rs.
3.	Commission on turn over for 1965-66 on Rs. 40,000 at one per cent.	400 00
		1,900 00
4	Less Advance received from time to time till March 1966.	225 00
	Total amount due	1,675 00

8. In his deposition before me (W W 1) Visweswaran has stated :—

> "I do not want reinstatement now. I may be awarded service compensation for the service rendered by me. (Para 6).
>
> I have received salary up to December 1965. Some salary is still due to me from the Second Party. I will file a proceeding in the Court of the Authority under the Payment of Wages Act, for recovering the amount due to me as arrears of salary. So, my service compensation may be awarded to me. I do not want anything else (Para 7) "

9. An employee is entitled to Retrenchment Compensation under Section 25F of the Industrial Disputes Act, only in case, he has been retrenched. This retrenchment compensation, in common parlance, is called "Service Compensation" In the case on hand it is nobody's case that Visweswaran has been retrenched, within the definition of that word as given in Section 2 (oo) of the Industrial Disputes Act and within the meaning thereof, as propounded by the Supreme Court and all the High Courts. Visweswaran can not, therefore, demand service compensation as a matter of right.

10. The witness for the Management is T. J. Vijayarangam. Chandrabai Ammal, who died in 1964, was his stepmother. T. K. Janakiram, who has signed and presented the statement of objections, is the husband of Chandrabai Ammal and father of Vijayarangam. T. K. Janakiram is a victim of paralysis and the Establishment is now managed by Vijayarangam. The aggrived workman Visweswaran is the husband of T. K. Janakiram's sister's daughter. All these facts are admitted on both hands.

11. Visweswaran has sworn before me that Janakiram sent word to him through Jayaram that his services were not required.

This Jayaram, as stated by Vijayarangam, is his (Vijayarangam's) uncle. Jayaram has not been examined, by either party. Vijayarangam has stated that Visweswaran left service, of his own accord. There is no particular reason to prefer the oath of one to that of the other. But since Visweswaran is not seeking reinstatement, the question whether his service was terminated or he abandoned it voluntarily, would lose all significance. Hence, I am of the view that there is no need to record any finding, either on the first or the second issue.

12. Visweswaran has stated that he was appointed on a salary of Rs. 200 per month *plus* one per cent commission on the total turn-over *plus* a bonus equivalent to two months' salary per year. This means that all the three items, or at any rate, the first two, would be his wages or salary. He has stated that to recover the arrears of salary, he would move the Authority under the Payment of Wages Act. He may do so, if permissible and if so advised as regards, bonus, if it is part of the agreed wages, Visweswaran may include it in his claim before the Authority under the Payment of Wages Act. If it is not part of the Wages, he can not receive it in this court because, he has not said that the Management has declared bonus for the year in question. So far as this proceeding is concerned, I can not award him any of the monetary claims made by him, for the foregoing reasons.

13. This leaves us only with the prayer of Visweswaran for service compensation. With regard to this claim, Vijayarangam has stated :—

> " We are willing to pay him the service compensation due to him according to law (Para 6).

But according to law, Visweswaran is not entitled to any compensation, under Section 25F of the Act because he has not been retrenched. He can not also be given any compensation by way of gratuity, because no scheme for payment of gratuity is proved to exist, in the Second Party Establishment. In these circumstances, I am of the opinion that Visweswaran is not entitled to get any relief from this Court.

14. **Hence, I make an Award as under :—**

AWARD

1. The reference and all demands made by Visweswaran, do stand rejected subject to the observations made regarding the arrears of salary or wages alleged to be due to him. Parties do bear their own costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER

Bangalore, dated 28th October 1967.

S. *O*. 2113. WHEREAS by State Government Order No. LMA 9 LLD 67, dated 27th January 1967, the Industrial Dispute between the Workmen and the Management of Janson Surgical Co., No. 70, Arcot Srinivasachar Street, Bangalore-2, was referred to the Labour Court, Baugalore, for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 9 LLD 67].

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary to Government,
Food, Civil Supplies and Labour Department.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute, between the workmen and the management of M/s. Mangalore Garage, Mangalore-1.

Award of the Labour Court, Bangalore—published.

Read the following papers :

(1) Letter No. 785/67-68, dated 23rd October 1967, from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COUPT, BANGALORE.

Dated this 23rd day of October 1967.

PRESENT :

Sri P. T. Kadkol, B.Sc., LL.B. — *Presiding Officer*

Reference No. 105 *of* 66.

Workmen represented by the Secretary, Karnatak Automobile and Engineering Workers' Union, Mangalore — *I Party.*

Vs.

The Management of M/s. Mangalore Garage, Mangalore-1. — *II Party.*

REFERENCE :

G.O. No. LMA 572 *LLD* 65, *dated 25th August* 1966

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/s. Mangalore Garage, Mangalore have referred it to this Court for adjudication under Section 10(1)(c) of the Industrial Disputes

Act, 1947, by their Order No. LMA 572 LLD 65, dated 25th August 1966, setting out the following points of dispute for adjudication :—

"I. Are the Workmen of Mangalore Garage, Mangalore, justified in demanding the restoration of 12 days' special leave with effect from 1st January 1964.

II. If not, to what other relief are they entitled to ?"

2. The cause of the aggrieved workmen has been sponsored by the Karnatak Automobile and Engineering Workers' Union, Mangalore which is a registered Trade Union, this Union as representing the workmen is the first party and the management of M/s. Mangalore Garage, Mangalore, is the second party in this proceeding.

3. In response to the notice issued by the Court the first party has submitted its statement of claims, dated 8th September 1966 and the second party has submitted its statement of objections, dated 5th January 1967. On these pleadings, some issues were framed and set down for hearing on 28th March 1967 (*Vide* Order Sheet).

4. On 18th October 1967 when the case came up for hearing at Mangalore Camp, Mr. Telicherikar appearing for the Ist party submitted a memo, marked Ex. A, stating that the Ist Party does not press this reference and hence it may be disposed of. Mr. Tukaram Pai, appearing for the second party has endorsed on the memo Ex. A. that he has no objection. In view of the fact that the Ist Party is not pressing the dispute nothing further needs be done. In the result I make an Award as under :—

AWARD

REFERENCE REJECTED as prayed for in the memo Ex. A, submitted by the first party which should be annexed to this Award and be deemed as forming part of it. No order as to costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE LABOUR COURT, BANGALORE.

In I. D. No. 105 *of* 1966.

Between :

The Workmen of M/s. Mangalore Garage, Mangalore-1
... .. *I Party.*

and

The Management of M/s. Mangalore Garage, Mangalore-1
.. .. *II Party.*

May it please your honour,

The I Party submits, that, they do not press the abovenamed dispute, therefore it is prayed that the dispute may be dismissed as not pressed.

There be no order as to costs.

Pray for orders accordingly.

Dated at Mangalore this the 18th day of October 1967.

(Sd.) .....

For I Party.

No objection.

(Sd.) Tukaram Pai.
18-10-67.

Filed, Recorded and Marked Ex. A.

(Intd.) P.T.K.,
18-10.

ORDER

Bangalore, dated 28th October 1967.

S. O. 2114. WHEREAS by State Government Order No. LMA 572 LLD 65, dated 25th August 1966, the Industrial Dispute between the Workmen and the Management of M/s. Mangalore Garage, Mangalore-1, was referred to the Labour Court, Bangalore for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said Award as above, in the *Mysore Gazette*.

[No. LMA 572 LLD 65.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,

Under Secretary to Government,
Food, Civil Supplies and Labour Department.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the workmen and the management of Azad Industries, Jeppu, Mangalore-1.

Award of the Labour Court, Hubli, published.

Read the following papers :

(1) Letter No. 1517/67-68, dated 24th October 1967 from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI

Dated 24th October 1967.

Reference (ID) (LCH) *No.* 35 *of* 1967.

PRESENT :

Sri Syed Azizuddin Ahmed, M.A., B.L. *Presiding Officer.*

BETWEEN :

The Workmen of Azad Industries, Jeppu, Mangalore represented by the Secretary, Karnataka General Workers' Union, Maidan Cross Road, Mangalore-1 .. *I Party.*

AND

The Management, Azad Industries, Jeppu, Mangalore-1. *II Party.*

This is a reference under Section 10(1)(c) of the Industrial Disputes Act, 1947, made by the Government of Mysore in their Order No. LMA 241 LLD 67, dated 3rd May 1967. The points of dispute referred for adjudication are as under :—

I. Are the management of Azad Industries, Jeppu, Mangalore-1, justified in dismissing Sri M. Abdul Rahiman ?

II. If not, is the worker entitled to reinstatement with back wages or to any other relief ?

2. The cause of the aggrieved workman has been sponsored and espoused by the Karnatak General Workers' Union, Mangalore represented by its Secretary, Sri T. P. Rao, Secretary, appeared

for the I Party while Sri K. S. Rao, President, General Managements' Association, Mangalore appeared for the II Party. In response to the notices issued by the Court, the I Party filed its Claim Statement, dated 28th June 1967 while no counter statement was filed by the II Party.

3. When the case was taken up for hearing at Mangalore Camp on 19th October 1967, Sri T. P. Rao, the learned Secretary of the I Party filed an application withdrawing the dispute.

AWARD

In view of the withdrawal application, dated 19th October 1967, the reference is rejected. No order as to costs.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court Hubli.

Place . Hubli

Date : 24th October 1967.

ORDER

Bangalore, dated 30th October 1967.

S. O. 2115. WHEREAS by State Government Order No. LMA 241 LLD 67, dated 3rd May 1967, the Industrial Dispute between the Workmen and the Management of Azad Industries, Jeppu, Mangalore-1, was referred to the Labour Court, Hubli for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute :

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FCL 241 LLD 67.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary to Government,
Food, Civil Supplies and Labour Department.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute, between the workmen and the management of M/s. Rodrich Auto-Diesel Service, Kadri Temple Road, Mangalore-2.

Award of the Labour Court, Hubli—Published.

Read the following papers :

(1) Letter No. 1522/67-68, dated 24th October 1967, from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI

Dated 24th October 1967.

Reference (ID) (LCH) No. 65 of 1967.

PRESENT :

Sri Syed Azizuddin Ahmed, M.A., B.L. *Presiding Officer.*

BETWEEN :

The Workmen of M/s Rodrich Auto Diesel Service, Kadri Temple Road, Mangalore represented by the Secretary, Karnatak Automobile and Engineering Workers' Union, Maidan Cross Road, Mangalore .. .. *I Party.*

and

The Management of M/s. Rodrich Auto-Diesel Service, Kadri Temple Road, Mangalore-2 .. .. *II Party.*

This is a reference under Section 10(1)(c) of the Industrial Disputes Act, 1947, made by the Government of Mysore in their Order No. LMA 386 LLD 67, dated 5th August 1967. The point of dispute referred for adjudication is as under :—

> "Is Sri Claudines Pinto, worker of M/s. Rodrich Auto Diesel Service, Kadri Temple Road, Mangalore-2 entitled for grant of an annual increment of Rs. 20 per month with effect from January 1967 or at any other rate ?"

2. The cause of the aggrieved workman has been sponsored and espoused by the Karnataka Automobile and Engineering Workers'

Union, Mangalore represented by its Secretary. Sri T. P. Rao, Secretary appeared for the Union while Sri Cyril D'Souza, Manager appeared for the Second Party. In response to the notices issued by the Court the parties had filed their written statements dated 26th August 1967 and 18th September 1967 respectively. Later, the Secretary of the First Party sent an application to the Court withdrawing the dispute.

3. When the case was taken up for hearing at Mangalore Camp on 19th October 1967, Sri T. P. Rao, the Secretary of the First Party admitted before me the execution of the withdrawal application. dated 19th October 1967. The same was duly verified by me.

AWARD

In view of the withdrawal application, dated 19th October 1967 the reference is rejected. No order as to costs.

Place : Hubli

Date : 24th October 1967.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

ORDER

Dated 28th October 1967.

S.O. 2116. WHEREAS by State Government Order No. LMA 386 LLD 67, dated 5th August 1967, the Industrial Dispute between the workmen and the Management of M/s. Rodrich Auto-Diesel Service, Kadri Temple Road, Mangalore-2, was referred to the Labour Court, Hubli, for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said Award as above in the *Mysore Gazette*.

[No. LMA 386 LLD 67.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary to Government,
Food, Civil Supplies and Labour Department.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute, between the workmen and the management of M/s. Peirce Leslie & Co., Ltd., Mangalore.

Award of the Labour Court, Bangalore—published.

Read the following papers:

(1) Letter No. 787/67-68, dated 23rd October 1967, Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 23rd day of October 1967.

PRESENT:

Sri P. T. Kadkol, B.SC., LL.B., *Presiding Officer.*

Reference No. 93 *of* 1966.

Workmen represented by the Secretary, S. K. Cashew Coffee Workers Union, Maidan Cross Road, Mangalore .. *First Party.*

and

The Management of M/s. Peirce Leslie & Co., Ltd., Mangalore. .. .. *Second Party.*

REFERENCE:

Government Order No. LMA 280 *LLD* 66, *dated 22nd July* 1966

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/s. Peirce Leslie & Co., Ltd., Mangalore, have referred it to this court for adjudication under Section 10(1)(c) of the Industrial Disputes

Act, 1947, by their Order No. LMA 280 LLD 66, dated 22nd July 1966, setting out the following points of dispute for adjudication :—

> "Are the Management of M/s. Peirce Leslie & Co., Ltd., Kulshekar Works, Mangalore justified in suspending Smt. Padmavathi, (No. 888) for a week from 21st January 1966 and withholding her wages for the said period.
>
> If not to what reliefs the worker is entitled to ?"

2. The cause of the aggrieved worker Padmavathi, has been sponsored by S.K. Cashew and Coffee Workers Union, Mangalore, which is a Registered Trade Union. This Union, as representing the workmen is the first party and the management of M/s. Peirce Leslie & Co., Ltd., is the second party in this proceeding.

3. In response to the notice issued by the court, the first party has put in its statement of claims dated 17th January 1967 and the second party has put in its statement of objections dated 31st January 1967. On these pleadings some issues were framed and set down for hearing on 28th March 1967 (*Vide* Order Sheet).

4. On 18th October 1967 when the case came up for hearing at Mangalore Camp, Mr. Telicherikar, representing the first party submitted a memo, marked Ex.A., stating that the first party does not press this reference and it may be disposed of. Mr. Venkappa Rai, appearing for the second party has endorsed on the said memo that he has no objection. Now that the first party is not pressing the dispute, nothing further needs be done. In the result I make an Award as under :—

AWARD

Reference is rejected as not pressed as per memo Ex. A. which should be annexed to this Award and be deemed as forming part thereof. Parties do bear their own costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE LABOUR COURT, BANGALORE.

In I.D. No. 93 of 1966.

BETWEEN :

The Workmen of M/s. Peirce Leslie & Co., Ltd., Mangalore-5
.. .. *First Party.*

and

The Management of M/s. Peirce Leslie & Co., Ltd., Mangalore-5
.. .. *Second Party.*

May it please your honour,

The First Party submits that they do not press the above said dispute, therefore it is prayed that the dispute may be dismissed as not pressed.

There be no order as to costs.

Pray for orders accordingly.

Dated at Mangalore this the 18th day of October 1967.

(Sd.) Talicherikar,
For First Party.

No objection.

(Sd.) Venkappa Rai.
18-10-1967.

Filed, Recorded and Marked Ex.A.

Intd. P.T.K.
18.10.

ORDER

Bangalore, dated 28th October 1967.

S.O. 2117. WHEREAS by State Government Order No. LMA 280 LLD 66, dated 22nd July 1966 the Industrial Dispute between the workmen and the Management of M/s. Peirce Leslie & Co., Ltd., Mangalore, was referred to the Labour Court, Bangalore, for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore, are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 280 LLD 66.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,

Under Secretary to Government,
Food, Civil Supplies and Labour Department.

Revenue Secretariat

ORDER.

Bangalore, dated the 20th August 1967.

S O 2119.—In exercise of the powers conferred by sub-section (1) of the Section 106 of the Mysore Land Revenue Act, 1964 (Mysore Act 12 of 1964), the Government of Mysore hereby directs the revenue survey of plantation lands of the villages specified in column 4 of the Schedule below situated in the Districts and Taluks specified in the corresponding entries in columns 2 and 3 thereof.

SCHEDULE.

Sl. No.	Name of the District	Name of the Taluk	Name of the Village
1	2	3	4
1	Shimoga	Hosanagara	Talale
2		Thirthahalli	Singanabidare
3			Talale
4			Shindavadi
5			Kunda
6			Nanduru
7	Hassan	Sakleshpur	Kasaba Hettur
8			Marukahalli
9			Konabanahalli
10			Badalahalli
11			Byagadehalli
12			Manakacahalli
13			Vatagar
14			Arangi
15			Bachahalli
16			Attihalli
17			Yattihalli
18			Jadisadde
19			Kumtahalli
20			Betteke omani
21			Boramave
22			Yeragahalli
23			Margatur
24			Hongademalli
25			Yadaramani
26			Balehalli
27			Chinnahalli
28			Banniballi
29			Hosahalli
30			Hiriyur
31			Bommanakere

1	2	3	4
32	Hassan	Sakleshpur	Hirelanahalli
33			Vadrahalli
34			Jabbanahalli
35			Ralalahalli
36			Karadigala
37			Rajaman- Estate
38			Anchemanie Estate
39			Jisali Forest
40			Vanagar Estate
41			Kaineri Estate
42			Belur
43			Hosalaballi
44			Nidugere
45			Adahalli
46			Ummanttur
47			Kurubattur
48			Yanavaraballi
49			Kasaba, Anbal
50			Huradi
51			Achareddy
52			Bachanahalli
53			Handigenahalli
54			Nalgahalli
55			Maragunda
56			Kumarihalli
57			Maragadi
58			Koragahalli
59			Devalakere
60			Neekanahalli
61			Agal halli
62			Hasige
63			Maranapura
64			Hodehahalli
65			Achan halli
66			Mukk halli
67			Hiremandi
68			Agadi
69			Jambaradi
70			Mavin halli
71			Dabbegadde
72			Mavinako'a
73			Kyamanahalli
74			Heggadde
75			Karumane
76			Siddi Estate
77			Harige Estate
78			Bachanahalli
79			Avarekadu Estate

1	2	3	4
80	Hassan	Sakleshpur	Kaliken halli Estate
81			Maravige Estate
82			Kadumane Estate
83			Muruchan halli Estate
84			Kasaba Yesalur
85			Kathalagere
86			Uchangi
87			Halagatur
88			Hattur
89			Kosagoge
90			Kavadadi
91			Konakanallu
91a			Kadalur
92			Kanasi
93			Echalabeedu
94			Kalale
95			Sudavalli
96			Heiur
97			Heggad halli
99			Maragahalli
9			Sadarahalli
100			Changadahalli
101			Nagur
102			Meragur
103			Doddakumadur
104			Mattur
105			Lakkanda
106			Chikkanadur
107			Sarag halli
108			Kar
109			Yadakere
110			Hongya
111			Attigehalli
112			Kumarahalli
113			Kersoi
114			Kottarahalli
115			Chikkatalur
116			Dodakallur
117			Henjeli
118			Negalu
119			Doddanahalli
120			Gaddahalli
121			Gadahalli
122			Konggalli
123			Hanalaterehalli
124			Banagere
124a			Mugeo
125			Thariyalagere

1	2	3	4
126	Hassan	Sakleshpur	Karagur
127			Hallisur
128			Pashalli
129			Igur Estate
130			Kala e Estate
131			Iro-ko e Estate
132			Ana-i Estate
133			Halugultur
134			S K. Gowdarahyalu
135			Kasaba Belegodu
136			Eswarahalli
137			Gulagalale
138			Kukkanamane
139			Golagunde
140			Mugi
141			Hebbanahalli
142			Lokkundi
143			Sindihalli
144			Mattigatale
145			Siddagavalle
146			Uderara
147			Bargegoou
148			Balu
149			Kesaga'i
150			Baravase
151			Page
152			Menasemakki
153			Yedihalli
154			Hasag valle
155			
156			Chikamavakanahalli
157			Jammenahalli
158			Hosagadde
159			Halekere
160			Kuvarenahalli
161			Kosaker
162			Kodarahalli
163			Alavalli
164			Krirvale
165			Heggere
166			Kirahunase
167			Vaddur
168			Adarvalli
169			Kanlanamane
170			Kasaba Sakleshpur
171			Hennali
172			Achavgi
173			Doddasavara

1	2	3	4
174	Hassan	Sakleshpur	Gangdahalli
175			Fykere
176			Hebbasale
177			Jannapura
178			Biradahalli
179			Halaruige
180			Hasadi
181			Kirihalli
183			Masadi
183			Masuhalli
184			Keraglale
185			Basavannahalli
186			Kollahalli
187			Kabmaside
188			Kanagelamane
189			Maale
190			Siddapura
191			Mastagara
192			Kagaravalli
193			Hale Bilur
194			Ramanahalli
195			Kalugani
196			Anenahalli
197			Davihalli
198			Hulihalli
199			Hulelayu
200			Kasaganhalli
201			Lonigalu
202			Kavadahalli
203			Donigalu
214			Kavad halli
205			Chikkasattigala
206			Hiragallu
207			Nellullu
208			Ibbani
209			Fatlapura
210			Doddasattigala
211			Arakere
212			Salaki
213			Kyakaravalli
214			Kannanahalli
215			Jareker
216			Kumbaradi
217			Nadahalli
218			Kaligaramarehalli
219			Haralarahalli
220			Kyarannahalli

1	2	3	4
221	Hassan	Sakleshpur	Kadagaravalli
222			Bagod halli
223			Alavalli
224			Hosur Estate
225			Mattasagara Estate
226			Echalahalli Estate
227			Hallahalli
228			Devarbaradi Estate
229			Kadagaravalli Estate
230			Kasaba Kundur
231	Hassan District	Alur Taluk	Ramanahalli
232			Balagaravalli
233			Hadaravalli
234			Gangura
235			Sanehalli
235a			Hasangadur
236			Devarapura
237			Hanumanahalli
238			Thimmalapura
239			Harihalli
240			Maojalgaon
241			Bengavalli
242			Kadarahalli
243			Kerehalli
244			Devamata
245			Bettahalli
246			Maddagonakanahalli
247			Baligamehalli
248			Kaggaravalli
249			Palya
250			Nallur
251			Dinnel gatta
252			Nidenedru
253			Chinnalur
254			Hanagavalli
255			Kamati
256			Karajavalli
257			Hariganahalli
258			Heddurga
259			Belur
260			Chikkati
261			Hunehalli
262			Rommanamane
263			Kasahalli
264			Kelane
265			Muttige

1	2	3	4
266	Hassan	Alur	Mallapura
267			Mygge
268			Kavamur
269			Kavamur Estate
270			Abbana
271			Hydur
272			Kongere
273			Marattayyakanahalli
274			Anjanapura
275			Bekkodi
276			Madihalli
277			Kavalur
278			Mallapalle
279			Nagavasa
280			Magadihalli
281			Nidumanahalli
282			Hadya
283			Hachaganahalli
284			
285			Yadahalli Nanjapura
286			Hatur
287			Madagadu
288			Kalagodu
289			Halliyur
290			Kanavebasavanahalli
291			Mallenahalli
292			Peenagalale
293			Nusker
294			Karagadi
295			Karaghatta
296			Bommanahalli
297			Hunsarhalli
298			Hemmige
299			Nellihalli
300			Higatur
301			Kittagalale
302			Hosahalli
303			Adaiyla
304			Kadidale
305			Hiragarapura
306			Hatur
307			Jayapura
308			Hiralakere
309			Tippapura
310			Herjuligi
311			Helakunde
312			Hariballi
313			Kakihalli

1	2	3	4
	Hassan	Arsikelagud Taluk	Names of the villages having plantation lands
314			Magodu
315			Hoppli
316			Badanur
317			Kelagalage
318			Basur
319			Dasanapura
320		Belur Taluk	Adavalli
321			Aravalli
323			Nidagodu
323			Kanivanaballi
324			Aggalu
325			Bilagunde
326			Kurkiballi
327			Gendeballi
328			Marur
329			Angajanahalli
330			Kalleri
331			Saglur
332			Heragodu
333			Thalagodu
334			Maggeballi
335			Madapedu
336			Hosahalli
337			Malavalli
338			Chandapura
339			Nagasavara
340			Muttavara
341			Muvara
342			Kalapamata
343			Lakkunda
344			Singaravalli
345			Kesagodu
346			Kogilamare
347			Chinnasikkodu
348			Halla
349			Hirnvate
350			Intitholalu
351			Thagare
352			Bandaballi
353			Mugaleballi
354			Hosahalli
355			Basaravalli
356			Irikaravalli
357			Husur
358			Somanahalli
359			Chattanahalli
360			Bikkodu

1	2	3	4
361	Hassan	Belur Taluk	Pura
362			Kodaganaballi
363			Heedaravalli
364			Venkatpete
365			Kusavara
366			Kavan
367			Nidumanahalli
368			Vadaraballi
369			Mad-gatta
370			Ankiballi
371			Chowdanaballi
372			Chokkanahalli
373			Malur
374			Malaballi
375			Eachalahalli
376			Nagenaballi
377			Hiregodde
378			Chunchanahalli
379			Kattur
380			Dallamane
381			Devarakesavi
382			Adaganchanahalli
383			Kanadur
384			Bettadakesavi
385			Gangavara
386			Hanaganahalli
387			Narve
388			Sulagalalle
389			Bilagali
390			Hakivalli
391			Thelalu
392			Barasavalli
393			Kangupoa
394			Surakodu
395			Hosamane
396			Muddenahalli
397			Heggadiballi
398			Anugatta
399			Kumbarahalli
400			Balacakalli
401			Bommanahalli
402			Hiregarige
403			Chikkanahalli
404			Alur
405			Mustagadau
406			Malalhesavi
407			Kilugavalli
408			Umbalagadu
409			Bellavara

1	2	3	4
410	Hassan	Belur Taluk	Beilote
411			Arehalli
412			Kogodu
413			Koppagadu
414			Ldahalli
415			Nanjangudahalli
416			Madenahalli
417			Kurahalli
418			Chikkasadi
419			Anjihalli
420			Hiresadi
421			Chikkalavara
422			Dodasalavara
423			Lingapura
424			Kittavara
425			Narvjee
426			Kalegarja
427			Jaumadevanahalli
428			Uttalau
429			Gurgihalli
430			Koragadde
431			Heggadde
432			Byadadi
433			Vasehalli
434			Bhurur
435			Murahalli
436			Mallapura
437			Siraguru-
438			Goravanahalli
439			Malavara
440			Hosahalli
441			Nidagodu
442			Mallipanur
443	Chickmagalur	Chickmagalur	Hukkunda
444			Sirugunda
445			Dammanahalli
446			Mattavara
447			Indavara
448			Arlagupe
449			Allampura
450			Hirekolale
451			Chikkolale
452			Hasahali
453			Halasahalu
454			Dasarahalli
455			Bendige
456			Mavinahalli
457			Arsi agunte
458			Hebbahalli

1	2	3	4
459	Chickmagalur	Chickmagalur	T cta aballi
460			K.rdinalli Kaval
461			Hara'id a.u. Estate
462			Bi.gan halli
463			h uu uru
464			B ndenike
465			K ravina ane
466			Bil ahal i
467			T iragana
468			Tagadur
469			Kenc ae"abalii
470			Kalas pura
471			Jedamane
472			Jaga a
473			Gonakal'u
474			Siravs-e
475			H pl.
476			K e avinaraje
477			Kadala
478			Fugudevani
479			holagavi
480			Sankari Dathratreya
481			M'agiri
482			Attikiri
483			Thoi aribanakalu
484			Nagena alli
485			Malaga u
486			Gaiiuja
487			M lin hu luvatti
488			Kesavi
489			Mutt napura
490			Suragup e
491			Bisaganamatta
492			Iram Dathatreyapeta
493			Pan'ar valli
494			Vastara
495			Huluvalle
496			Thond ravalli
497			Mahaj-ed
498			Al dundde
499			T oranamavu
500			Ganata-m-aw.ra
501			Guddenhalli
502			A enahal i
503			Singal u
5 4			Vo age ahalli
505			Th dag a
506			Kathdikere

1	2	3	4
507	Chickmagalur	Chickmagalur	Chittavalli
508			Halasamane
509			Kelagane
510			Vatiganahalli
511			Ramse
512			Vijavalli
513			Hebbadamane
514			Nerade
515			Basagallu
516			Annuru
517			Malimane
518			Kodavalli
519			Kodavalli
520			Thalibalia
521			Hanchiravalli
522			Hebbole
523			Chagondanahalli
524			Kottaru
525			Jakkanahalli
526			Bagodu
527			Heddallu
528			Malimane Coffee Estate
529			Kuduvalli J. I.
530			Ador
531			Doddamanagaravalli
532			Machagondanahalli
533			Handi
534			Bannur
535			Havali
536			Donagudige
537			Kasavinahakkala
538			Kallehalli
539			Chikkanagaravalli
540			Yelagodige
541			Sathhalli
542			Kelaguru
543			Haleyuru
544			Bettadamalli
545			Makodu
546			Baguru
547			Byravalli
548			Magagalli
549			Kesamakki
550			Avalbi
551			Arenuru
552			Basaravalli
553			Hanagaravalli

1	2	3	4
554	Chickmagalur	Chickmagalur	Bagaareheddalu
555			Idavalli
556			Dalimali
557			Pura
558			Anigabahalli
559			Devarahalli
560			Pagadane
561			Berangodu
562			Siraguru
563			Karguru
564			Havare
565			Basavura
566			Kadvanthi
567			Saragodu
568			Siragola
569			Devadana
570			Bommasa
571			Manubaru
572			Hilare
573			Hyarambi
574			Huggere
575			Bikkarni
576a	Chickmagalur	Kadur	Bikkari
576		Tarikere	Hogarhalli
577			Sankaragatta
578			Kallathipura
579			Udava
580			Kamanadurga
581			Pillenahalli
582			Gangura
583			Gensilakatte
584			Manchethevaru
585			Thanigeballu
586			Thigada
587			Ballavara
588			Nagaibattalu
589			Kallahalli
590		N. R. Pura	Bherasuru
591			Balekoppa
592			Sarya
593			Anduru
594			Raburu
595			Hebbe
596			Biluvalli
597			Siragelale
598			Dandubittahara
599			Geraguallu

1	2	3	4
600		N. R. Pura	Nagalapura
601			Garikoppa
602			Balekoppa
603			Kalubinabailu
604			Haramballi
605			Susalavani
606			Nerekoppa
607			Lingapura
608			Simsa
609			Kanive
610			Konakere
611			Muttinakoppa
612			Kusaburu
613			Haligabailu
614			Varkate
615			Shalagane
616			Madaburu
617			B. Kanaburu
618			Shadagalu
619			Yeechagere
620			Kamalapura
621			Gubbiga
622			Beluru
623			Malandaru
624			Athuru
625			Thanodi
626			Pale
627			Devani
628			Magundi
629			Shankese
630			Madagone
631			Kanuru
632			Harahuri
633			Megaramakki
634			Haralakuppa
635			Karkeswara
636			Kolal
637			Magade
638			Halasuru
639			Bannuru
640			Karehadlu
641			Haladi

1	2	3	4
642	Chickmagalur	Koppal	Koppa
643			Melaharandur
644			Talamakki
645			Belagola
646			Gunavante
647			Hadada
648			Thanodi
649			Marithottalu
650			Nuggi
651			Talamakki Coffee Estate
652			Amadi Coffee Estate
653			Hariharapura
654			Kunimakki
655			Thamadahalli
656			Bintaravalli
657			Bandigadi
658			Jayapura
659			Heddese
660			Buvanakote
661			Belavinkodige
662			Agalagandi
663			Kulluru
664			Heramabapura
665			Kalasapura Coffee Estate
666			Byredevaru
667			Heggasaru
668			Kalluguddo
669			Hosuru
670			Devagodu
671			Huligaradi
672			Guddethota
673			Bettadakolalu
674			Hattikodige
675			Agalagandi
676			Yelemallu
677			Sthiruru
678			Honnagundi
679			Hirigaddo
680			Adigebailu
681			Haralane
682			Maragadde Bund Khan
683			Khan Estate
684			Bachalakhanu
685			Biligere
686			Kere

1	2	3	4
687	Chickamagalur	Koppal	Mudaba
688			Sankadamakki
689			Mavalli Estate
690			Neramur Estate
691		Sringeri	Sringeri
692			Honnavalli
693			Herur
694	Shimoga Dist.	Hosanagara	Tavalo
695		Tarthahalli	Singanabidare
696			Ubahalu
697			Shimdavadi
698			Kunda
699			Nantura
700	Chickmagalur	Mudigere	Mudigere
701			Devagodi
702			Hiravani
703			Karonahalli
704			Chattadahalli
705			Belagola
706			Kalasa
707			Nandipura
708			Lokavalli Estate
709			Kaneenakallu
710			Muthigareguru
711			Kadavalli
712			Kongarodu
713			Kollibilu
714			Nadumanagadakallu
715			Kalase
716			Kummahalli
717			Kavelote
718			Kommenahalli
719			Kelagodu
720			Chikkahalli
721			Bilagoli
723			Thirthakola
729			Kanagamanahalli
724			Koujege
725			Chikkanahalli
726			Kodavalli
727			Onakanahalu
728			Mudigadi
729			Kilinahalli
730			Karkhalu
731			Pura
732			Kadagadaraga
733			Kavalali

1	2	3	4
734	Chickmagalur	Mudigere	Kanjigegudde Coffee Estate
735			Kenjige Coffee Estate
736			Gonibidu
737			Jagannakere
738			Kodakulu
739			Nidagodu
740			Daradabalu
741			Houisalu
742			Chinnage
743			Hiresagere
744			Chamundagere
745			Kamaragodu
746			Udase
747			Hanumanchalli
748			K. Hosaballi
749			Chikkodige
750			Heggaravalli
751			Chandarapura
752			Kanachuru
753			Hanthuru
754			Anajuru
755			Angadi
756			Devarunda
757			Karnenahalli
758			Ugebelli
759			Hemmadi
760			Kiragunda
761			Harmakki
762			Battadamane
763			Urabage
764			U. Hosuballi
765			Meck nagadde
766			Hosakere
767			Halekere
768			Gowdahalli
769			Baidavalli
770			Kyrapura
771			Kannehuru Coffee Estate
772			Kesuhaolalu Coffee Estate
773			Halekere Coffee Estate
774			Bydavalli Coffee Estate
775			Kyrapura Coffee Estate

1	2	3	4
776	Chickmagalur	Mudigere	Gonibidu Agrahara
777			Bannkallu
778			Guddanahalli
779			Tarikere
780			Athigere
781			Pataduru
782			Heragadde
783			Thripura
784			Daragana
785			Kogile
786			Koratagere
787			Bakki
788			Hesagodu
789			Kirnadi
790			Cutti
791			Heggadalu
792			Hosahalli
793			Kunduru
794			Soluru
795			Bagesagodu
796			Palguni
797			Ousanu
798			Kannagere
799			Bankonahalli
800			Bettagere
801			B. Hosahalli
802			Haliko
803			Kogile Baramale Coffee Estate
804			Kodahalli
805			Baluru
806			Kelaguru
807			Meguru
808			Koradatalaguru
809			Maligabadu
810			Baligo
811			Durgadahalli
812			Madugundi
813			Kuve
814			Arawari e Thalaguru
815			Maragallu
816			Nidavale
817			Sunkasale
818			Bilagale
819			Adiveni
820			Kallumane
821			Javali

1	2	3	4
822	Chickmagalur	Mudigere	Alikodige Coffee Estate
823			Balur Coffee Estate
824			Kelaguru coffee Estate
825			Abrakodige Coffee Estate
826			Halagadaka Coffee Estate
827			Mavinakoro (Kalase)
828			Yadur
829			Hornadu
830			Hemmakki
831			Samse
832			Kelaguru
833			Thalakodi
834			Kelakodu
835			Marisonige
836			Thotaduru
837			Thangodi
838			Iddakoni
839			Abbinkodige
840	South Kanara	Sulya	Yanekal
841			Subramanya
842			Ainakidu
843			Guttigere
844			Devaobatta
845			Kalkur
846			U. Mithoor
847			Sullia
848			Ajjavara
849			Alethy
850			Markanja
851			N. Kemraje
852			Madapady
853			Mandekolu
854			Aivernad
855			alscon
856			Baland
857			Aryapu
858			Volamogru
859			Ariadka
860			Madnuru
861			Kolthige
862			Nettanigemudur
863			Padavannur
864			Badavannur
865			Irde

1	2	3	4
866	South Kanara	Puttur	Bellamapady
867			Pansje
868			Nidpalli
869			Uppinangady
870			Kadaba
871			Kodiyabails
872			Bantra
873			Achkilady
874			Kaobar
875			Noojibalothills
876			Autrupady
877			Benjilady
878			Perabe
879			Karthoor
880			Pallya
881			Belmeranki
882			Ramakunja
883			Koila
884			Savanoor
885			Puncheppady
886			Pathady
887			Kumeta
888			Charvaka
889			Kaimana
890			Belsudoor
891			Kaniyoor
892	Coorg	Somwarpet	Haraga
893			Thaleri
894			Kumarahalli
895			Belludehalli
896			Kothenahalli
897			Hosahalli
898			Yelkannur
899			Biligere
900			Kiragundur
901			Thalthoresettahalli
902			Kunahalli
903			Nagalkarkalli
904			Masagodu
905			Santholli

1	2	3	4
906	Coorg	Somwarpet	Ku-baru
907			Balag nda
908			Nagenuru
909			h.wa. alli
910			Kib' esin
911			Hanavalli
912			Henagalli Sattalli
913			Nerug la'e
914			Doddaburu
915			Chichabura
916			Hithlu Makki
917			Areyur
918			Nerale
919			Be'uru Basavanahalli
920			Gangaur
921			Hajagauahalli
922			Kutti
923			Cholursettalli
924			Kal kandur
925			Honnebeedu
926			Anigalale
927			Aregura
928			Do ida holur
929			Abbia atta
930			Yedavara
931			Haraga
932			Hosavale
933			Yelnur
934			Chikkatholure
935			Gonim ur
936			Sidenahalli
937			Bannvara
938			Sangatiharapura
939			Yelunde
940			Nagavala
941			Bhuvanagala

1	2	3	4
942	Coorg	Somwarpet	Marikerebasavenaballi
943			Adinadur
944			Herur
945			Hadre
946			Atuyathimangala
947			Shirangala
948			Valanurthayagathu
949			Shirangala
950			Valanurthayagathu
951			7th Hosakote
952			Kudur Shettalli
953			Nelliahundikere
954			Nanjarayapaind
955			Thorenur
956			Basavanahalli
957			Bellary
958			Doddabettakere
959			Guddehosura
960			Kudiga
961			Bedatotta
962			Muthusoge
963			Godibasavanahalli
964			Rangasamudra
965			Nirupasahapura
966			Hosapatna
967			Baichanahalli
968			Madapatna
969			Huluse
970			Ramapura
971			Rasalapura
972			Chikkabettakerei
973			Hobbale
974			Manajur
975			Chikkanayakanahosa-halli
976			Nalluru
977			Kudlur
978			Managaloru
979			Marur
980			Chikkathur
981			Doddathur
982			Basavathur
983			Mullusoge
984			Gondibasavanahalli

1	2	3	4
985	Coorg	Somwarpet	Andagove
986			Nalkuruirangala
987			Kodagarahalli
988			Kumbur
989			Kambur
			Kanabailu,
990			Byohannahalli
991			Kirudale
992			Sirangahalli
993			Medur
994			Heroon
995			Anjanagere Betagori
996			Attur, Nallur
997			Garagandur
998			Khanadanakolli
999			Kadasidalli
1000			Geruvale
1001			Hulugulli
1002			Naragavi
1003			Heleri (Kedakal)
1004			Kedkal (Kegedal)
1005			Muvatbekkalu
1006			Hadageri
1007			Higgodalu
1008			Animangala
1009			Hiralavalamundi
1010			Koppathuru
1011			Channapur
1012			Hirikara
1013			Shivapura
1014			Doddamolathe
1015			Harohalli
1016			2nd Chawadlu
1017			Valagunda
1018			Sulimolathe
1019			Hithlukari
1020			Hungasekeri Hosaili
1021			Muthuru
1022			Gawdalli
1023			Ajjalli
1024			Haroballi
1025			Kugur
1026			Chicara
1027			Shivalli
1028			Kanaraballi
1029			Thalaguru

1	2	3	4
1030	Coorg	Somwarpet	Hachalli
1031			Kergalli
1032			Kumsane
1033			Agalli
1034			Anuradanahalli
1035			Chingavanahalli
1036			Javinanalli
1037			Jogigalli
1038			Kirukonalli
1039			Kiraganahalli
1040			Ankanahalli
1041			Gangavara
1042			Kanarsvalli
1043			Kegamaru
1044			Dundalli
1045			Dandali
1046			Chevalli
1047			Halakura
1048			Doddakolathuru
1049			Kretlige [illegible]alli
1050			Agrasetthalli
1051			Jyrunadi
1052			Kaalekura
1053			Kiranaba
1054			Kalipura
1055			Gopalakura
1056			Kaschagiri
1057			Vadeyarapura
1058			Kanbala
1059			Kattisuru
1060			Hoppugulale
1061			Hallahalli
1062			Kanive
1063			Basavanahalli
1064			Kurekeri
1065			Arabelli
1066			Hukkasunda
1067			Hunali
1068			Kangalore
1069			Kaikile
1070			Karneunda
1071			Ataguru
1072			Kallibilu
1073			Kellgal le

1	2	3	
1074	Coorg	Somwarpet	Doddatti
1075			Kiyatbanaballi
1076			Avaridalu
1077			Hulikou
1078			Belakodale
1079			Hampapura
1080			Benivarsantho
1081			Amalanaballi
1082			Doddakanagalu
1083			Chikkanagalu
1084			Doddahalli
1085			Bilihalli
1086			Haraballi
1087			Kajjur
1088			Chikkakolathuru
1089			Jabekodi
1090			Koolur
1091			Sakari
1092			Honnachedi
1093			Basarlu
1094			Koginahalli
1095			Kalase
1096			Godigalale
1097			Nidiba
1098			Jagmaranalli
1099			Madare
1100			Dandahalli
1101			Hosahalli
1102			Kajageri
1103			Doddabandare
1104			Bettigunahalli
1105			Honnahudi
1106			Basavanare
1107			Koginahalli
1108			Herbulase
1109			Hosatura
1110			Sampigedalu
1111			Doddakodali
			Sallalli
1112			Nandipura
1113			Chawdanahalli
1114			Harehosuru
1115			Haroballi

1	2	3	
1116	Coorg	Somwarpet	Hosahalli
1117			Hosagutti
1118			Nidatha
1119			Jagalli
1120			Huluse
1121			Gundugadale
1122			Kudlur
1123			Lakkeri
1124			Keroor
1125			Santhapura
1126			Hosalli
1127			Doddabilara
1128			Kiribilara
1129			Chennapura
1130			Mallathapura
1131			Hagavara
1132			Gadabanalli
1133			Amurthi
1134			Nakolagedu
1135			Baobalii
1136			Bettadalli
1137			Konagallu
1138			Menasa
1139			Bettadahalli
1140			Monewalli
1141			Heggala
1142			Santhuveri
1143			Gowdalli
1144			Basavanakoppa
1145			Bembalur
1146			Shiraba
1147			Chikkanahalli
1148			Yedehalli
1149			Hanagali
1150			Thalur
1150(a)			Nandipunda
1150(b)			Kurudevalli
1150(c)			Ramanahalli
1150(d)			Nandipura
1151			Mudaravalli
1152			Sirahalli

1	2	3	4
1153	Coorg	Somwarpet	Bageri
1154			Byadagatta
1155			Mallahalli
1156			Doddakunda
1157			Ramenahalli
1158			Siddapura
1159			Alur
1160			Kanthibasavahalli
1161			Niluvagilu
1162			Besus
1163			Chikkabandare
1164			2nd Kudlur
1165			Honnannkodu
1166			Bidare
1167			Suligapale
1168			Hemmane
1169		Mercara	Hemarmbine
1170			Arecadu
1171			Anvatboklu
1172			Badaga
1173			Biligeri
1174			Galebudu
1175			Hodavada
1176			Hodduru
1177			Hosakeri
1178			Hakathuru
1179			Heravanadu
1180			Hebbatageri
1181			Hamiyala
1182			Ibbanavalavadi
1183			Kanthur
1184			Kiggalu
1185			Kumabaladalu
1186			Kadagadalu
1187			Kaggadlu
1188			Kerungéri
1189			Karavalabadagu
1190			Katakeri
1191			Kalur
1192			Kundalapadi Peraje
1193			Mutharmudi
1194			Maragodu
1195			Mekari

1	2	3	4
1196	Coorg	Mercara	Mâde
1197			Monnangeri
1198			Makkunder
1199			Mukkadlu
1200			Male Chamhu
1201			Sodlur Kattamadu
1202			Fampaje
1203			Arapattu
1204			Balamuri
1205			Ballau avast
1206			Pethu
1207			Cheluvara
1208			Kerindudadu
1209			Kolakeri
1210			Kunjile
1211			Koberi
1212			Karada
1213			Konaguri
1214			Naladi
1215			Nappakkalu
1216			Nariyanadad
1217			Naji
1218			Perura
1219			Yavakapadi
1220			Naranandada
1221			Hemmemadu
1222			Bettageri
1223			Kolagadalu
1224			Kundachari
1225			Bengnor
1226			Karguruda
1227			Badaga
1228			Bhagamandala
1229			Oberangala
1230			Kopati
1231			Singathur
1232			Thanniman
1233			Pattathoor
1234			Aiyanagers
1235			Sannapulikote
1236			Karike

1	2	3	4
1237	Coorg	[illegible]	Arji
1238			Bet[illegible]li
1 39			He[illegible]gin
1 40		[illegible]	Kon[illegible]ur
1241			K[illegible]ttur
1:47			[illegible]edarmalur
1 43			[illegible]ubbur
1244			[illegible]ima[illegible]gala
1245			Bal[illegible]godu
1246			[illegible]ndga
1247			Bittanagala
1248			[illegible]ggala
1249			[illegible]angalo
125[illegible]			Rudrat[illegible]pe
1:51			B[illegible]llamadk
12:2			Chembedelur
1253			Ar[illegible]eri
1254			Devan[illegible]gere
1255			Kadanagamenur
1:56			Bu[illegible]j[illegible]lagere
1257			Vaitinadi
1258			Nal[illegible]keri
1259			Parangala
1:60			Amma hi[illegible]
1261			[illegible]ligauda
1:6[illegible]			Sy[illegible]anbade
1263			Bad[illegible]gab[illegible]ngala
1264			[illegible]s akeri
1265			[illegible]nan ay[illegible]nakots
1.66			Hosakote
12[illegible]7			Guby
1 68			Hanchiwadu
1269			Hal[illegible]da
1:70			H[illegible]uru
127[illegible]			Kalathamalladu
1272			Barmadu
1273			Kav di
1 7[illegible]			Kalakadab[illegible]igeor
1275			[illegible]s lomsi gala
1276			[illegible]r igodu
1277			Maldery
1278			Met[illegible]r Bommkeri
1279			Nalvathukkadu
12[illegible]0			Fulikeri
1281			[illegible]u[illegible]apura
128[illegible]			Yedur
1283			[illegible]
1284			B[illegible]lmru

1	2	3	4
1285	Coorg	Virajpet	Parakatageri
1286			Beguru
1287			Belamaradur
1288			Hysodluru
1289			Haribara
1290			Badagarakeri
1291			Hadikeri
1292			Theralu
1293			Nalkeri
1294			Kurubi
1295			Manchalli
1296			Chikkamandu
1297			Kumurburu
1298			Nemmala E & W
1299			Negalakeri
1300			Shettigere
1301			Badaga
1302			Katta Ex-Thaileru
1303			Nalkeri Forest
1304			Hathuru
1305			Arvathikkalu
1306			(Mugalagere)
1307			Kenda
1308			Kallandi Koyar
1309			Shettigere
1310			Hebbaley, Badagadu
1311			Mayamudi
1312			Kaikeri Attur
1313			Nukyasiddapura
1314			Balale
1315			Baluru
1316			Devanuur
1317			Dannagala Rudrabanu
1318			Kirgur
1319			Nallur
1320			Nitturu
1321			Bekkegodlur
1322			Bessaguru
1323			Halligatta, Hudur
1324			Kanur Nidagunda
1325			Kotageri
1326			Mallur

By Order and in the name of the Governor of Mysore,

M. K. MADAPPA,

Under Secretary to Government,
Revenue Department.

HOME SECRETARIAT

NOTIFICATION

Bangalore, dated 31st October 1967.

S. O. 2120.—In exercise of the powers conferred by rule 3 6 of the Mysore Motor Vehicles Rules 1963, and in supersession of Government Notification No. HD 121 TMR 65 dated 11th March 1967, the Government of Mysore being satisfied that the vehicle trailer combinations of the Mysore State Road Transport Corporation described in the schedule below can be used in a public place without any danger to the public safety, hereby exempts the said vehicle-trailer combinations from the provisions of rules, 219, 251 and 253 of the said rules for the purpose of plying them in Bangalore City area beyond the Corporation limits of Bangalore City and in the five routes *viz.*, (a) Hubli–Dharwar, (b) Bangalore–Kolar, (c) Bangalore–Mysore, (d) Bangalore–Chickballapur and (e) Bangalore–Doddaballapur.

SCHEDULE

	Registration No.	Engine No.	Chassis No.	Wheel Base	Overall length
	1	2	3	4	5
	MYF				
Vehicle	334	ALE–5747	ALC–4850	203"	28'–9"
	474	ALE–4367	5078	203"	28'–9"
Trailer	372		7660	190"	26'–1"
	486		7655	190"	26'–3" (excluding the draw bar).
7	330	C–34401	ALC–4638	203"	28'–9"
8	341	C–33223	ALC–5077	203"	28'–9"

1	2	3	4	5
Trailer				
7	501	... PAB-7879	190°	26′-3°
8	498	... PAB-7657	190°	26′-3°
Vehicle MYF				
	342	ALI-16258 ALE-5080	203°	28′-10°
	333	C-333227 ALC-4926	203°	28′-10°
Trailer	492	... PAB-7729	190°	26′-3°
	494	... PAB-7688	190°	26′-3°
Vehicle MYF				
	316	C-33213 AIC-5128	203°	28′-10°
	352	C-34403 ALC-5385	203°	28′-10°
Trailer	1587	... 3366	190°	26′-5°
	1577	... 3582	190°	29′-5° (excluding the draw bar).

[No. HD 19 TMA 66.]

By Order and in the name of the Governor of Mysore.

1386 C. RAJANNA, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION

Bangalore, dated 4th November 1967.

S.O. 2121.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, and after obtaining the approval of Government of India, accorded under sub-section (2) of Section 5 of the said Act the Government of Mysore are pleased to sanction, the grant to Shri A. S. Dudhya Naik of a Mining Lease for twenty years for Manganese in respect of the area of 10 acres (4-05 hectares) of land in Ittigehalli Village Shikaripur Taluk, Shimoga District, (S.Nos.) as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below—

(*a*) Mining Lease should be in respect of Manganese only. If other minerals are found in association with Manganese, they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Manganese he should do so only after the consent of Government is obtained in writing.

(*b*) Royalty at the rates prescribed in the second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 12 50 in respect of each mineral per hectare per annum, whichever is greater, shall be charged provided that dead rent shall not be payable for the first year of the lease.

(*c*) Surface rent at the rate of Rs. 2-50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(*d*) If beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act No. XXIX of 1948 is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(*e*) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(*f*) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(*g*) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(*h*) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the ores collected during the mining operations.

(*i*) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(*j*) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(*k*) The total area held by the lessee under Mining Leases including the present one shall not exceed 25.9 Sq. Kilo-metres.

(*l*) Government shall have the right of purchasing the Ore at current market rates.

(m) The lease would be determined if the Lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(n) The area mentioned above is subject to verification after actual survey.

(o) The lease shall raise 1500 tons of ore during the first year.

[No. CI 184 EMO 67.]

By Order and in the name of the Governor of Mysore,

140 : N. NARAYANASWAMY, *Under Secy.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated the 30th October/3rd November 1967.

S. O. 2122.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the Rural Arts College, Hunsbhavi to the Karnatak University, for teaching P.U.C. Arts and B. A. Part 1 course for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University as also to the condition that the Management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year about its financial position.

[No ED 103 UAC 67.]

By Order and in the name of the Governor of Mysore,

1383 S. N. Sreenath, *Under Secy.*

NOTIFICATION.

Bangalore, dated 30th October/3rd November 1967.

S. O. 2123.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the S.D.E. Society's Arts and Science College, Sankeshwar to the Karnatak University for teaching Pre-University Arts and Science and B.A. Degree Part I and B.Sc. Degree Part I courses for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University as also to the condition that the management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year about its financial position.

[No. ED 102 UAC 67.]

By Order and in the name of the Governor of Mysore,

A384 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated 3rd (4th November 1967.

S. O. 2124.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction fresh affiliation of the Milagres College, Kallianpur, South Kanara District to the Mysore University, for teaching the following courses:

(i) Pre-University Course (Arts).
History, Economics, Logic (one section of 72 Students).

(ii) Pre-University Course (Commerce).
History, Economics, Commerce (one section of 72 students).

(iii) B. A. Degree (First year).
History, Economics, (Majors), Political Science (Minor) one section of 48 students).

(iv) B. Com. Degree (First year) one section,

for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee as also to the condition that the management must satisfy the University that it will maintain the college without Government grants and also that the college must satisfy the University before the next financial year about its financial position.

[No. ED 44 UAC 67.]

By Order and in the name of the Governor of Mysore,

1399 S. N. SREENATH, *Under Secretary.*

DEVELOPMENT, HOUSING, PANCHAYATI RAJ AND CO-OPERATION SECRETARIAT.

NOTIFICATION

Bangalore, dated 31st October 1957.

S. O. 2125.—WHEREAS by Government Notification No. Development Department No. 9 52 dated the 0th April 195 issued under sub-section (1) of Section 4 of the Bombay Agricultural Produce Markets Act 19 9. (Bombay XXII of 193), the Government of Bombay was pleased to regulate the purchase and sale of cotton (ginned and unginned) groundnuts (shelled and unshelled), sesamum, caster seed safflower, kulthi and chillies in the area of Shiraha ti Taluka of Dharwar District and declare it to be market area;

AND WHEREAS by Government Notification No. PMA 9854, dated the 24th January 1955 issued under sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 19 9 (Bombay Act XXII of 19 9), the Government of Bombay was pleased to regulate the purchase and sale of Jowar and Wheat in addition to cotton (ginned and ungined) groundnut (shelled and unshelled) sesamum, caster seed, safflower, kulthi and chillies in the said market area;

AND WHEREAS it is now proposed to regulate the purchase and sale of cattle, sheep, goats, tur, turdal, gram, gramdal, mung, alsandi (Chola), math, nigerseed, corriander gul navani, onion and green chillies also in the said market area;

NOW, THEREFORE, in exercise of the powers conferred of sub-section (1) of Section 3 of the Bombay Agricultural Produce Markets Act 1939 (Bombay Act XXII of 1939), the Government of Mysore hereby declares its intention to regulate the purchase and sale of cattle, sheep, goats, tur turdal, gram, gramdal, mung, alsandi (Chola), math,

nigerseed, corriander, gul, navani, onion and green chillies in addition to cotton (ginned and unginned) groundnut (shell-d and unshelled), sesamum, caster seed, safflower, kulthi, chillies, jowar and wheat in the said market area ;

Any objections or suggestion which may be received by the Secretary to Government, DHPC Department, Vidhana Soudha. Post Box 318, Bangalore on or before 18th December 1967 will be considered by Government.

[No. DPC 73 CMD 67.]

By Order and in the name of the Governor of Mysore,

1381

S. V. PRABHU, *Under Secy.*

NOTIFICATION.

Bangalore, dated 31st October 1957.

S. O. 2126.—WHEREAS by Government Notification, Revenue Department No. 3755/45, dated the 6th September 1947 issued under the provisions of sub-section (1) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of cotton (ginned and unginned), groundnut (shelled and unshelled) and safflower in the area of Dharwar Taluka and the eight villages of Navalgund Taluka of Dharwar District mentioned there in ;

AND WHEREAS by Government Notification No. APM 3452, dated 6th March 1953, issued under the provisions of sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of gram, tur, mung, udid, linseed, caster, seed, and onion addition to cotton (ginned and unginned), groundnut (shelled and unshelled), safflower in the said Market area.

AND WHEREAS by Government Notification Development Department No. APM 3454 dated 6th March 1955, issued under the provisions of sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939) the Government of Bombay was pleased to regulate the purchase and sale of jowar, wheat, paddy (husked and unhusked) corriander, and Cholo (Alsandi) in addition to cotton (ginned and unginned), groundnut (shelled and unshelled), safflower, gram, tur, mung, udid linseed, caster seed, and onion in the said Market area ;

AND WHEREAS it is now proposed to regulate the purchase and sale of dry chillies also in the said Market area ; Now therefore in exercise of the powers conferred under

sub-section (1) of Section 3 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XX I of 1939), the Government of Mysore hereby declares its intension to regulate the purchase and sale of dry chillies in addition to cotton (ginned and unginned), groundnut (shelled and unshelled), saffower, gram tur. mung, udid, linseed, castor seed, onion, jowar, wheat, paddy (Lusked and unhusked) corriander, and chola (Alsandi) in the said Market area.

Any objections or suggestions which may be received by the Secretary to Government, DHPC Departments, Vidhana Soudha, Post Box No. 315, Bangalore on or before 18th December 1967 will be considered by Government.

[No. DPC 53 CMD 67.]

By Order and in the name of the Governor of Mysore,

1382 S. V. PRABHU, *Under Secy.*

Education Secretariat

NOTIFICATION.

Bangalore, dated the 6th November 1967.

S. O. 2127.—In exercise of the powers conferred under sub-section 3) of Section 44-A of the Mysore University (Amendment) Act 1951, the Government of Mysore are pleased to sanction fresh affiliation of the first grade college of Arts and Science, Thirthahalli to the Mysore University, for teaching the following courses.—

(i) Pre-University (Arts):
History. Economics, Pol. Science.

(ii) Pre University (Science):
physics, Chemistry, Mathematics (One Section 60 students).

(iii) B.A. Degree (First Year):
History, Economics (Majors) Pol. Science (Minor) Sociology, Economics (Majors) Pol. Science (Minor) Kannada, Economics (Majors) Pol. Science (Minor)

(iv) B.Sc. Degree (First year):

Physics, Mathematics (Majors) Chemistry (Minor) 36 students.

for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee as also to the condition that the management must satisfy the university that it will maintain the college without Government's grants and also that the college must satisfy the university before the next financial year about its financial position.

[No. ED 33 UAC 67.]

By Order and in the name of the Governor of Mysore,

S. N. Sreenath, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 7th November 1967.

S O. 2128.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957 and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the said Act the Government of Mysore are pleased to sanction the grant to Messrs. K. L. Poddar and Sons (P) Ltd., of a Mining Lease for twenty years for Iron and Manganese ore in respect of the area of 200 acres (80.94 hectares) of land in Anmod Village, Supapetha Taluka, North Kanara District, as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below :—

(a) Mining Lease should be in respect of Iron and Manganese ores only. If other minerals are found in association with Iron and Manganese Ores they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Iron and Manganese ore he should do so only after the consent of Government is obtained in writing.

(b) Royalty at the rates prescribed in the second schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 12-50 in repspect of each mineral per hectare per annum, whichever is greater, shall be charged, provided that dead rent shall not be payable for the first year of the lease.

(c) Surface rent at the rate of Rs. 12-50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(d) If beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act, No. XXIX of 1948 is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(e) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(f) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(g) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(h) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the Ores collected during the Mining operations.

(i) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(j) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(k) The total area held by the lessee under mining leases including the present one shall not exceed 25.9 Sq. Kilometers.

(l) Government shall have the right of purchasing the Ore at current market rates.

(m) The lease would be determined if the lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(n) The area mentioned above is subject verification after actual survey ; and

(o) Subject to the condition that the lessees should give a minimum performance of 15,000 tonnes of ore per year on the block.

[No. Cl 132 EMI 67.]

By Order and in the name of the Governor of Mysore,

1423 N. NARAYANASWAMY, *Under Secy.*

REVENUE SECRETARIAT

CORRIGENDUM.

Bangalore, dated 6th November 1967.

Sub:—Exemption from payment of stamp duty and Registration fees in respect of the instruments—Armed personnel.

READ:—

Government Order No. RD 51 EST 67, dated 31st July 1967.

Government Notification No. RD 51 EST 67, dated 31st July 1967.

S. O. 2129.—For the words in the above Government Order "This order shall be in force up to and inclusive of 31st March 1968" the following shall be substituted:—

"This order shall be in force for one year from 1st April 1967 up to and inclusive of 31st March 1968".

For the words in the above Notification "This Notification shall be in force up to and inclusive of 31st March, 1968" the following shall be substituted:—

"This Notification shall be in force for one year from 1st April 1967 up to and inclusive of 31st March, 1968".

[No. RD 116 EST 67]

By Order and in the name of the Governor of Mysore,

1395 ..... *Under Secy.*

Revenue Secretariat.

NOTIFICATION.

Bangalore, dated 6th November 1967.

S. O. 2130.—Whereas the State Government considers that for the purpose of providing opportunities of training as Tahsildar for the Probationer of the Indian Administrative Service, it is expedient to appoint him as Special Tahsildar for a taluk to exercise such powers and discharge such duties as are exercised and performed by a Tahsilbar.

Now, therefore, in exercise of the powers conferred by sub-Section 1 of Section 12 of the Mysore Land Revune, Act, 1964 (Mysore Act 12 of 1964), the Government of Mysore hereby sanction the appointment for the said purpose of one Special Tahsildar for Kolar taluk in Bangalore Division for a period of two months.

[No. RD 326 ASG 67.]

By Order and in the name of the Governor of Mysore,

1420

K. C. Puttanarasiah,
Under Secy.

Home Secretariat.

NOTIFICATION.

Bangalore, dated 7th November 1967.

S. O. 2131.—In exercise of the powers conferred by, Rule 316 of the Mysore Motor Vehicles Rules, 1963, the Government of Mysore hereby exempt the trailer, belonging to Sri Maqsood Ali Khan, No. 31, Sankey Road, Bangalore,-1, assembled in a local workshop, from the provisions of Rules 251 of the said rules, subject to the condition that the construction of the trailer complies with the other requirements of Chapter V of the Mysore Motor Vehicles Rules 1963 and the said trailer is solely used for the purpose of the registered owner.

[No. HD 246 TMA 67.]

By Order and in the name of the Governor of Mysore,

1490 C. Rajanna, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION

Bangalore, dated 31st October 1967.

S O. 2132.—In Pursuance of Section 7 (2) of the Mines and Minerals (Regulation and Development) Act 1957 and as directed by the Government of India, under Rule 55 of the Mineral Concession Rules 1960 accorded under proviso to the said Section 7 (2) and Section 30 of the said Act, the Government of Mysore are pleased to renew the Prospecting Licence held by M/s K.L. Poddar & Sons (P) Ltd., referred to in the following Schedule for a further period of one year with effect from 3rd April 1967 subject to the terms and conditions stipulated in the original licence.

SCHEDULE

Nomber and date of the Government Order sanctioning the original Prospecting Licenue and renewal of the same in favourof M/s K. L. Poddar & Sons (P) Ltd.	ORE	Details of the Area
1. CI 147 MPI 64, dated 5th December 1964 Licence executed on 3rd April 1965	Manganese and Iron Ore	1342 Acres in F.S. No. 1 2 and 3 of Atli village Supa Taluk, North Kanara Dist. as delineated in the Sketch attached to the Prospecting Licence Deed.
2. Renewed in Government Notification No. CI 37 EPI 66, dated 30th May 1966.		do
3. Renewed.		992 acres only out of 1342 acres originally sanctioned since 350 acres have been applied for Mining Lease on 14th June 1966

[No. CI 99 EPI 67.]

By Order and in the name of the Governor of Mysore,

N. NARAYANASWAMY, *Under Secy*.

Food, Civil Supplies and Labour Secretariat

NOTIFICATION.

Bangalore, dated the 8th November 1967.

S. O. 2133.—Whereas the Government of Mysore is of opinion that it is expedient and necessary in the public interest to add "The Manufacture, Marketing and Distribution of Petroleum Products" industry to the first schedule to the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 40 of the said Act, the Government of Mysore hereby directs that in the first Schedule to the said Act after item No 14 relating to "Mysore Fertilser Industry" the following item shall be added, namely :—

"15 Mys-The Manufacture, Marketing and Distribution of Petroleum Products Industry'.

[No. FCL 310 LLE 67.]

By Order and in the name of the Governor of Mysore,

1411 G. G. Purohit, *Under Secy.*

NOTIFICATION.

Bangalore, dated the 8th November 1967.

S. O. 2134 - WHEREAS the Government of Mysore is satisfied that there is a public emergency ;

NOW, THEREFORE, in exercise of the powers conferred by Section 5 of the Factories Act, 1948 (Central Act 63 of 1948), and in supersession of all previous notifications issued in this behalf, the Government of Mysore hereby exempts Indian Telephone Industries, Limited, Doddavanigar, Bangalore for a period of 3 months from 11th November 1967, from the provisions of Sections, 51, 52, 53, 54 and 56 of the said Act and also from Section 79 of the said Act to the extent that leave may be refused where necessary in the exigencies of service, except in case of illness subject to the following conditions :—

(i) No worker shall be required or allowed to work over-time in a factory for more than 48 hours in a quarter ;

(ii) No worker who is sick or unwilling shall be required to work over-time in the Factory;

(iii) The workers deprived of the weekly holidays provided in Section 52 of the Factories Act, shall be allowed compensatory holiday in lieu of such weekly holidays lost ; and

(iv) A worker who has applied for leave with wages and has not been given such leave, shall be entitled to carry forward the unavailed leave without any limit.

[No. FCL 127 LFB 67.]

By Order and in the name of the Governor of Mysore,

1408 G. G. PUROHIT, *Under Secy.*

NOTIFICATION.

Bangalore, dated 7th November 1967.

S. O. 2135.—In exercise of the powers conferred by Section 20 of the Indian Boilers Act, 1923 read with Rule 63 of the Bombay Boiler Rules, 1924, the Goverument of Mysore hereby appoints Shri S. V. Papa Reddy B.A., LL.B., Secretary to Government, Law Department, Mysore Government Secretariat, to be the President of the Appellate Court under the said Act and Rule 64 of the said Rules, and constitutes the following panel of Assessors for the purpose of assisting in hearing the appeals under the said Act, in the said area for a period of two years, namely : –

1. Shri B. R. Narayana Iyengar, B.Sc., B.E., S.M. (M.I.T.), Ex-Principal, Government College of Engineering, 175, 1st Main Road, Seshadripuram, Bangalore–20.
2. Shri A. V. Raghavachar, B.E., A.M.I.E., Retired Deputy Chief Inspector of Factories and Boilers, Madras.
3. Shri D. Narayanaswamy Chetty, B.E. (Mech.), A.M.I.E, Ex-Secretary, Central Boilers Board, Jayanagar, Bangalore-11.
4. Shri C. V. Kamath, B.A., B.E., Retired Chief Inspector of Factories and Boilers, Andhra Pradesh, C/o Konchady Oil Factory, Mangalore–4.

[No. FCL 190 LFB 66 (II).]

By Order and in the name of the Governor of Mysore,

1402 R. ANANDAKRISHNA, *Secretary.*

NOTIFICATION.

Bangalore, dated 7th November 1967.

S. O. 2136.—In exercise of the powers conferred by Section 20 of the Indian Boilers Act, 1923 read with Rule 62 of the Hyderabad State Boiler and Machinery Rules, the Government of Mysore hereby appoints Shri S. V. Papa Reddy, B.A., LL.B., Secretary to Government, Law Department, Mysore Government Secretariat, to be the President of Appellate Court and under Rule 63 of the said Rules constitutes the following panel of Assessors for the purpose of assisting in hearing of appeals in the said area for a period of two years, namely:—

1. Shri B. R. Narayana Iyengar, B.Sc., B.E., S.M. (M.I.T.), Ex-Principal, Government College of Engineering, 175, 1st Main Road, Seshadripuram, Bangalore–20.
2. Shri A. V. Raghavachar, B.E. A.M.I.E., Retired Deputy Chief Inspector of Factories and Boilers, Madras.
3. Shri D. Narayanaswamy Chetty, B.E. (Mech.) A.M.I.E., Ex-Secretary, Central Boilers Board, Jayanagar, Bangalore–11.
4. Shri C. V. Kamath, B.A., B.E., Retired Chief Inspector of Factories and Boilers, Andhra Pradesh, C/o Konchady Oil Factory, Mangalore–4.

[No. FCL 190 LFB 66 (III).]

By Order and in the name of the Governor of Mysore,

1403 R. ANANDAKRISHNA, *Secretary.*

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION.

Bangalore, dated 25th October 1967.

S.O 2137.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Puttur Taluk of South Kanara District, the situation and limits of which are specified in the schedule hereto annexed, as reserved forests ;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of the said section ; and

(iii) appoints the District Forest Officer, Mangalore Division, Mangalore, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE

Name of the District	...	South Kanara.
Name of the Taluk	...	Puttur Taluk
Name of the Village	...	Ballya
Name of the Block	...	Kunthur R.F. Extension
Survey Field No.	...	147
Extent	...	74.00 acres

Boundary Description

North :—Starting from station No. 34 a point situated at the cairn of Kunthur R.F. the demarcation line of the proposed block runs first in North-East direction to station No 35 a distance of 444 links. There it runs in almost South-East direction to station No 36 a distance of 409 links. From there it runs in Eastern direction to station No. 39 a distance of 920 links passing through the intermediate station No. 37 and 38. Thence is runs in South-East direction a distance of 875 links to reach the station No. 41 passing through intermediate station No 40. Thence it runs in almost South-East direction a distance of 1029 links to reach the station No. 44 passing through the intermediate stations 42 and 43. Th refrom the line runs in almost North-East direction a distance of 2053 links to reach the station No. 50 passing through the intermediate stations 45 to 49 Thence it runs in South-East direction to station No. 51 a distance of 340 links. Again it rmns in North-East direction to station No. 52 a distance of 815 links.

Bearings and distances from station to station are as follows :

Station Numbers From	To	Bearings in F.B.	Distances in links
34	35	80	444
35	36	156	409
36	37	98	211
37	38	112	298
38	39	93	411
39	40	190	446
40	41	191	429
41	42	144½	400
42	43	144½	383
43	44	110½	246
44	45	83½	174
45	46	74½	343
46	47	47	455
47	48	66	390
48	49	57½	455
49	50	75½	236
50	51	102½	340
51	52	61½	815

East.—Thence the line runs in South-West direction to station No. 53 a distance of 541 links. From there it runs in Southern direction to station No. 54 a distance of 398 links. Therefrom the line runs in almost in South-East direction a distance of 793 links to each the station No. 57 passing through intermediate stations 55 and 56. Thence it runs in North-East direction to station No. 58 a distance of 624 links. From there it runs in South-East direction to station No. 59 a distance of 284 links, Again it runs North-East direction to station No. 60 a distance of 261 links. Again it runs in South-East direction to station No. 61 a distance of 259 links. Therefrom the line runs in almost South West direction a distance of 879 links to reach the station No. 64 passing through the intermediate station No. 62 and 63. Thence it runs in almost South-East direction a distance of 885 links to reach the station No 63 passing through the intermediate stations 65 to 67. Therefrom it runs in almost Eastern direction a distance of 1613 links to reach the station No. 74 passing through the intermediate stations 69 to 73. Therefrom the line runs in almost Southern direction a distance of 1764 links to reach the station No. 83 passing through the intermediate station Nos. 75 to 82. Thence it runs in almost South-East direction a distance of 1528 links to reach the station 89 passing through the intermediate stations 84 to 88. From there it runs in almost North-East direction a distance of 608 links to reach the station No. 92 passing through the intermediate stations 90 and 91. Thence it runs in almost South East direction a distance of 510 links to reach the station No. 94 passing through the intermediate station No. 93. Again it runs in South-West direction a distance of 415 links to reach the station No 96 passing through the intermediate station No 95. From there it runs to Southern direction to station No. 97 a distance of 561 links.

Bearings and distances from station to station are as follows.—

Station From	Numbers To	Bearings in F.B	Distances in links
1	2	3	4
52	53	204	541
53	54	172½	398
54	55	118	324
55	56	86	164
56	57	104	310
57	58	20	624
58	59	144	284
59	60	71	261
60	61	142	259

1	2	3	4
61	62	195½	293
62	63	209½	292
63	64	214½	294
64	65	16 ½	356
65	66	152	200
66	67	1 2	175
67	68	122	154
68	69	85½	163
69	70	85½	300
70	71	73	197
71	72	83	208
72	73	97	374
73	74	93½	371
74	75	198	116
75	76	199	219
76	77	205	135
77	78	186	198
78	79	168½	208
79	80	184	214
80	81	181	231
81	82	206	139
82	83	193	274
83	84	143	270
84	85	153½	216
85	86	118½	361
86	87	115½	154
87	88	123½	300
88	89	123½	197
89	90	77½	200
90	91	77½	245
91	92	48	163
92	93	142	224
93	94	114	286
94	95	203	268
95	96	191½	147
96	97	170½	361

South.—Thence the demarcation line runs in South-West direction a distance of 358 links to reach the station No. 0 which is a point situated at the cairn No. 17 of the Kunthur R.F. From there it runs in North-West direction along the demaeration line of old R.F. station No. 1 a distance of 686 links. From there it runs along the demarcation line of the old R.F. line in Souh-West direction a distance of 750 links

to reach the station No. 3 passing through the intermediate station No. 2. Therefrom the line runs alorg the old demarcation line in almost North-West direction a distance of 2727 links to reach the station No. 13 passing through the intermediate stations 4 to 12. Thence it continues along the old demarcation line in South-West direction a distance of 1014 links to reach the station No. 15 passing through the intermediate station No. 14. Therefrom the line continues in almost in North-West direction a distance of 2756 links to reach the station No. 21 passing through the intermediate station 16 to 20. From there it runs in western direction to station No. 22 a distance of 1185 links. Therefrom it continues in South-West direction a distance of 1239 links to reach station No. 24 passing through the intermediate station No. 23.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in F. B.	Distances in links
97	0	251	353
0	1	342	686
1	2	280½	392
2	3	270½	358
3	4	288	208
4	5	302½	105
5	6	322	464
6	7	358	73
7	8	325	136
8	9	334	290
9	10	346½	140
10	11	346½	266
11	12	340	297
12	13	340	678
13	14	257	617
14	15	263	397
15	16	332	417
16	17	338½	384
17	18	334½	370
18	19	317	173
19	20	330½	597
20	21	303	815
21	22	266	1185
22	23	231½	890
23	24	231½	349

West:—Thence the demarcation line of the proposed block runs along the old demarcation line in almost North-West direction a distance of 3647 links to reach the station No. 34 (which is the starting point), passing through the intermediate stations 25 to 33.

Bearing and distances from station to station are as follows:—

Station From	Numbers To	Bearings in in F. B.	Distances in links
24	25	307½	517
25	26	309½	500
26	27	320	130
27	28	320	323
28	29	298½	270
29	30	306½	231
30	31	321½	274
31	32	309½	280
32	33	342½	399
33	34	346½	723
		— Starting point.	

Other privileges :—

1. Free removal of green leaves for *bona fide* use of ryots,
2. Free grazing of cattle of villages.
3. Free removal of dry fuel for *bona fide* use of villagers.

[No. AFD 180 FAF 68.]

By Order and in the name of the Governor of Mysore,

1341 M. A. MECCAI, *Under Secretary*

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2C (ii)—7

PART IV

Section 2-C—(ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF MYSORE.

FOOD, CIVIL, SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute : Industrial Dispute between the Workmen and the Management of Mangalore Automobiles Ltd., Mangalore.

Award of the Labour Court, Hubli—Published.

Read the following papers :

(1) Letter No. 1340/67-68 dated 28th October 1967, from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI

Dated 28th October 1967.

Reference (ID)(LCH) No. 55 of 1967.

Present:

Sri Syed Azizuddin Ahmed, M.A., B.L., ... *Presiding Officer*

Between :

The Workmen of Mangalore Automobiles Ltd., Attavar Road, Mangalore-1, represented by the Secretary, Kanara Motor and Engineering Workers' Union, Felix Pai Bazar, Mangalore ... *I Party*

and

The Management, Mangalore Automobile Ltd., Mangalore.

... *II Party*

This is a reference under section 10 (1)(c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their

Order No. LMA 865 LLD 67, dated 28th June 1967. The points of dispute referred for adjudication are as under :—

I. Are the management of Mangalore Automobile Ltd., Attavar Road, Mangalore-1 justified in terminating the services of the following workmen :—

(a) B. M. Thimmappa (bus conductor)

(b) T. Narayana Bhat (bus conductor)

(c) K. Padmanabhaya (bus conductor)

(d) U. Ramachandra Herala (bus conductor)

(e) G. H. Soans, Driver

(f) M. Monappa, Fitter

(g) K. Gopala Bangera, Turner

(h) Edward D'Souja, Blacksmith

(i) A. Shetty, Checking Inspector

(j) Aithappa Poojary, Attender.

II. If not, are the workmen entitled to reinstatement with back wages ?

III. Are the workmen entitled to the benefits mentioned in the annexure hereto in case they are to be retrenched ?

IV. Are all the workmen of the establishment entitled to bonus in according with the provisions of the Payment of Bonus Act, 1965 for the year 1965 ?

V. If not, to what other reliefs or quantum of bonus are the workmen entitled ?

2. The cause of the aggrieved workmen has been sponsored and espoused by the Kamara Motor and Engineering Workers' Union, Felix Pai Bazar, Mangalore represented by its Secretary, Sri H. Mahabal Rai, Vice President appeared for the I Party. There was no one present on behalf of the II Party. It had moved for an adjournment in a very callous manner without assigning any cogent reasons for seeking adjournments. Adjournments cannot be granted at the mere asking. Hence the application to grant adjournment was rejected. The points of dispute specified in the order of reference were treated as issues in the case. The I Party examined 7 witnesses and got marked 2 documents. The II Party had filed 7 documents. They were

read as exhibits in the case. The representative of the I Party stated that he does not press the claim of Sri K. Padmanabhaya, Sl No. (c), Sri U. Ramachandra Herala, Sl. No. (d) and Sri Edward D'Souza, Sl. No. (k).

3. The sum and substance of the Claim Statement, dated 28th July 1967 filed by the I Party is that the workmen referred to in the order of reference were the employees of the II Party. They had put in service with the II Party for varying periods as disclosed in the Claim Statement. The Management refused them work from 21st December 1966 without any prior notice or warning or assigning any reasons. When the I Party requested the management about the sudden cessation of work to their employees, they replied by their letter dated 30th December 1966 that on account of financial difficulties, the running of the buses has been stopped and the employees are permitted to join service elsewhere. The workmen have also not been given any bonus for the year 1965 66. They are entitled to bonus in accordance with the Bonus Act, 1965 for the year ending 31st March 1966 and proportionate bonus for the period from 1st April 1966 to 21st December 1966.

4. The Counter Statement, dated 11th August 1967 filed by the II Party is a woeful tale. It pleaded *inter alia* that the I Party workmen are not the members of the Kanara Motor and Engineering Workers' Union, Mangalore. Hence, this Court has no jurisdiction to entertain the dispute. The reference is belated and untenable. The claim of the workmen is highly speculative, fanciful, unreasonable, unfair, unjust and wrong. It maintained that owing to insufficient income and the other factors described in detail in the Counter Statement, the management closed the concern and the services of the workmen were dispensed with.

FINDINGS

5. The first point that would arise for determination is whether the present dispute is an industrial dispute. The I Party has examined seven of the aggrieved workmen. All of them have deposed in one voice that they are the members of the I Party union. I do not find sufficient reason to disbelieve their sworn testimony. I hold that the present dispute is an industrial dispute and that this Court has jurisdiction to hear the reference.

6. The principal point that arises for determination is whether the management was justified in terminating the services of the workmen. From a perusal of the document Ex. W-1 a letter by the management addressed to the Secretary of the I Party Union, it transpires that consequent to the closure of the business, the management terminated the services of its workmen. I shall reproduce here a part of the letter. It reads thus:

> "A notice was put up on the Notice Board when all the Buses came to a standstill. The sub-ordinates have been permitted to join services elsewhere since all Buses have stopped and since there is no income and since there are no funds They are at liberty to come or may come when Buses resume service. This is the best the Managemen can do."

This document, more than anything else, shows the sincerity of purpose of the management. The workmen have made a grievance that they were not served with individual notices terminating their services. Even the wages of previous four months were in arrears. Notice pay and retrenchment compensation was not paid to them and that the manager is responsible for the bad financial condition of the II Party. It is not here for me to apportion blame to any one individual. But the truth seems to be otherwise. The management has filed certified copies of the awards of the previous industrial disputes between the management and the workmen. From this, it is clear that the management was riven with internal dissension and industrial disputes. It appears to have been running under loss as far back as 1963. In Reference (ID) (LCH) No. 30 of 1963 an award has been passed as per Ex. M. 1. In paragraph 2 of the award has been stated:

> "When the case was taken up for hearing today, the Ist Party filed a memorandum stating that since the II Party company is likely to be wound up and liquidated soon, the I Party is not pressing the case and that the dispute may be dismissed as not pressed."

In the award Ex. M-2 passed in Reference (ID) (LCH) No. 30 of 1968 it has been stated:

> "Today, when the case was taken up for hearing, the Secretary of the I Party union filed a memorandum stating that since the I Party workmen have come to know that the II Party concern is going into liquidation

consequent upon severe financial crisis and will therefore not be able to meet their demands, they do not press their claim for bonus and that an award should be passed accordingly."

In Ex. M-4, an award in Industrial Dispute No. 15 of 1968 it has been stated that Shri T. P Rao, the learned representative of the first party present a memo representing to the Additional Tribunal that the dispute referred to above be dismissed with costs as not pressed. In Ex. M-7 an award in Reference No. 54 of 1966 it has been stated :

"When the case was called on for hearing at Mangalore camp on 19th November 1968, Sri Govindan for the first party submitted a memo to the effect that there is no available surplus to pay bonus as per the company's balance sheets of the respective years and hence the first party does not desire to press the demands for bonus and therefore the reference may be rejected."

All these go to show that the management has been in financial doldrums since a very long time. Ultimately, it decided to close down the business from 21st December 1968 and put up notice accordingly. Section 25 FFF lays down :

Where an undertaking is closed down for any reason whatsoever, every workmen who has been in continuous service for not less than one year in that undertaking immediately before the closure shall subject to the provisions of sub section (2) be entitled to notice and compensation in accordance with the provision of Section 25 F as if the workmen had been retrenched provided that where the undertaking is closed down on account of unavoidable circumstances beyond the control of the employer, the compensation to be paid to the workman under clause (*b*, of Section 25 F shall not exceed his average pay for three months.

In the instant case the explanation to Section 25 FFF does not apply because from the counter statement it is clear that the undertaking has been closed down not merely due to financial difficulties but due to a variety of causes, one of them being that the management was confronted with heavy litigation in the type of industrial disputes. As per the claim statement M. Thimmappa has put in 21 years service, T. Narayan that years, G. K. Gowda 8 years, M. Mogappa 18 years, K. Gopala

Bingera 16 years, A. Sheena 26 years and Aithappa Poojary 4 years of service with the management. The workmen have deposed to their length of service. There is no rebuttal on oath by the management. I hold that the above described seven workmen are entitled to closure compensation equivalent to three months average pay of each individual. They are not entitled to any bonus as admittedly the concern has gone in liquidation. The points of dispute are answered accordingly.

AWARD.

The Management of Mangalore Automobile Ltd., Attavar Road, Mangalore was justified in terminating the services of all the workmen mentioned in the order of reference. B. M. Thimmappa, T. Narayana Bhat, G. H. Soans, M. Monappa, K. Gopala Bungera, A. Sheena and Aithappa Poojary are entitled to closure compensation equivalent to their average pay for three months. They are not entitled to any other relief. No order as to costs.

Place: Hubli
Dated: 28-10-1967.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

ANNEXURE

Reference (ID (LCH) No. 55/1967.

Witnesses examined for I Party

W.W. 1 A. Sheena s/o A. Ananda
W.W. 2 B. M. Thimmappa s/o M. Manjunath
W.W. 3 T Narayana Bhat s/o T Krishna Rao
W.W. 4 G. H. Soans s/o Sadanandu Soans
W.W. 5 K. Gopal Bangera
W.W 6 M. Monappa s/o M. Babu
W.W. 7 K. Itha Poojari s/o K. Thayappa.

Witnesses examined for II Party

Nil

Documents marked for I Party

Exhibits :

W—1 Letter dated 30th December 1966 from II Party to I Party.

W—2 Application dated 22nd December 1966 authorising the I Party union to conduct the case for workmen.

Documents marked for II Party

M—1 True copy of award passed in Reference (ID) (LCH) No. 80/1963, by Labour Court, Hubli.

M—2 True copy of award passed in Reference (ID) (LCH) No. 39/1963 by Labour Court, Hubli.

M—3 True copy of award passed in Complaint No. 19 of 1962 in I. D. No. 6 of 1962, by I. T Bangalore.

M—4 True copy of award passed in Industrial dispute No. 15/1963 by Additional I. T Bangalore.

M—5 True copy of Order passed in Applications (LCH) Nos. 147, 148 and 149/1964 by Labour Court, Hubli.

M—6 True copy of Award passed in Reference (ID) (LCH) No. 18/1966 by Labour Court, Hubli.

M—7 True copy of award passed in Ref. No. 54/1966 by Labour Court, Bangalore.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

Place : Hubli
Date : 29-10-1967

ORDER

Bangalore dated the 3rd November 1967.

S. O. 2138.—WHEREAS by State Government Order No. FCL. 365 LLD 67, dated 28th June 1967 the Industrial Dispute between the workmen and the Management of Mangalore Automobiles Ltd., Mangalore, was referred to the Labour Court, Hubli for adjudication;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FCL 365 LLD 67.]

By Order and in the name of the Governor of Mysore,

1414 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT.
(LABOUR)

Labour Dispute :—Industrial Dispute between the Workmen and the Management of Coronation Tile Works, Mangalore.

Award of the Labour Court, Hubli,—Published.

Read the following papers :—

(1) Letter No. 1533/67-68, dated 25th October 1967, from Shri Syed Azizuddin Ahamed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI

Dated 25th October 1967.

Reference.

(ID) (LCH) No. 62 of 1967.

Present :

Shri Syed Azizuddin Ahmed, M.A., B.L. Presiding Officer.

Between

The Workmen of M/s. Coronation Tile Works, Bolar. Mangalore represented by The Secretary, Dakshina Kannada Hanchina Kelasagararu Sangha, New Market Buildings, Mangalore-1 ... ... *I Party.*

and

The Management, of Coronation Tile Works Bolar, Mangalore ... ... *II Party*

This is a reference under Section 10 (1) (c) of the Industrial Disputes Act, 1947, made by the Government of Mysore, in their Order No. LMA 433 LLD 67, dated 29th July 1967. The Points of dispute referred for adjudication are as under:—

I. Is the Management of M/s. Coronation Tile Works, Bolar, Mangalore justified in refusing employment to

Sri Joseph Braggs, Engine Driver, with effect from 15th March 1967 ?

II. If not, to what relief is the worker entitled ?

2. The cause of the aggrieved workman has been sponsored and espoused by the Dakshina Kannada Hanchina Kelasagarara Sangha, Mangalore-1 represented by its Secretary, Sri H Umanath Nayak appeared for the I Party and the Second was represented by its Manager Sri J D Silva. In response to the notices issued by the Court, the I Party filed its Claim Statement, dated 17th August 1967. The II Party did not file any counter statement.

3. When the case was taken up for hearing at Mangalore camp on 18th October 1967, the parties having compromised the dispute, filed a joint memorandum of settlement. The same was duly verified by me. As per the joint memo of settlement, the re usul of employment to Sri Joseph Braggs, the aggrieved workman has been treated as resignation from service and he has been paid a sum of Rs. 700 in full and final settlement of all his claims.

AWARD

An award is passed in terms of the joint memo of settlement, dated 18th October 1967 marked Annexure A. The same be read as part of the award. The parties shall bear their own costs.

Place : Hubli
Date : 25-10-1967

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

ANNEXURE-A

BEFORE THE HONOURABLE LABOUR COUBT, HUBLI.

Camp: Mangalore

REF. R.C. 62(LCH) OF 1967

Between:

The Workmen of M/s Coronation Tile Works, Bolar, Mangalore, represented by the Secretary, Dakshina Kannada Hanchina Kelasagararu Sangha, New Market Building, Mangalore ... ... *I Party.*

and

The Management of M/s. Coronation Tile Works, Bolar Mangalore ... ... *II Party.*

In the matter of dispute between the workmen of M/s. Coronation Tile Works, Bolar, Mangalore.

The parties above named beg to state as follows:

The parties having discussed the above matter have come to an amicable settlement in the terms stated below:—

1. The refusal of employment to the worker Sri Joseph Braggs may be treated as resignation of the worker from this Date.

2. The second party accepts the resignation of the said Worker and agrees to pay in lieu of his services earned wages, leave wages as per Factories Act and Bonus a sum of Rupees Seven hundred only in full and final settlement of all his claims.

An award may be passed in the above terms

Mangalore dated the 18th day of October, 1967.

Sd/-
I Party

Sd/-
II Party

Sri H. Umanath Nayak, representative of the I Party Union and Sri J. D'Silva, Manager of the II Party admitted.

fore me the execution of this Memorandum of Settlement. ence verified.

Sd: (H. Umanath Nayak)
I Party

Sd: (J. D'Silva)
II Party

(Sd.)
Presiding Officer,
Labour Court, Hubli.
18-10-1967

Place.—Hubli

—25-10-1967.

SYED AHMUDDIN AHMED,
Presiding Officer, Labour Court, Hubli.

ORDER.

Bangalore, dated 6th November 1967.

S.O. 2139.—WHEREAS by State Government Order No. LMA 433 LLD 67, dated 29th July 1967, the Industrial Dispute between the orkmen and the Management of Coronation Tile Works, Mangalore was referred to the Labour Court, Hubli for adjudication;

AND WHEREAS the Labour Court has submitted to the State vernment its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said Award as above, in the *Mysore Gazette*.

[No. FCL 433 LLD 67.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT, *Under Secy.*

Food, Supplies and Labour Secretariat

NOTIFICATION.

Bangalore dated 7th November 1957.

S. O. 2140.—In exercise of the powers conferred by Section 20 of the Indian Boilers Act, 1923 read with rule 12 the Mysore Boiler Rules, 1956, the Government of Mysore hereby appoints Shri S. V. Papa Reddy, B.A., LL.B., Secretary to Government, Law Department, Mysore Government Secretariat, to be the President of the Appellate Authority and constitutes the following panel of Assessors to assist the said President, in the said area for a period of two years, namely:—

1. Shri B. R. Narayana Iyengar, B.SC., B.E., S.M.(M.I.T.), Ex Principal, Government College of Engineering, 175, 1st Main Road, Seshadripuram, Bangalore-20.
2. Shri A. V. Raghavachar, B.E., A.M.I.E., Retired Deputy Chief Inspector of Factories and Boilers, Madras.
3. Shri D. Narayanaswamy Chetty, B.E. (Mech.), A.M.I.E., Ex-Secretary, Central Boilers Board, Jayanagar, Bangalore-11.
4. Shri C. V. Kamath, B.A., B.E., Retired Chief Inspector of Factories and Boilers, Andhra Pradesh, C/o Konchady Oil Factory, Mangalore-4.

[No. FCL 190 LFB 56 (I).]

By Order and in the name of the Governor of Mysore,

R. Anandakrishna, *Secretary to Government Food, Civil Supplies, & Labour Deptt.*

Home Secretariat.

NOTIFICATION.

Bangalore dated 4th November 1967.

S. O. 2141.—In exercise of the powers conferred by sub-section 1) of Section 16 of the Mysore Motor Vehicles Taxation Act, 1957 (Mysore Act 35 of 1957), the Government of Mysore being of the opinion that it is necessary in public interest so to do, hereby reduces the tax payable under the said Act in respect of stage carriages plying on the route specified in Column 1) of the table below to the extent and for the period specified in Columns 2 and 3 respectively of the table.

TABLE

	Tax payable per quarter		
Route	Per seated passenger Rs.	per standing passenger Rs.	Period
1	2		3
Raichur to Gadwal, via Jinnatapur, Jambaldinni Devasugur, Ghat, Alur and Darur.	22-50		For the period from 1-8-1962 to 31-12-1967 or till the road is taken over by P. W. D. whichever is earlier.

[No. HD 60 TMT 67.]

By Order and in the name of the Governor of Mysore,

1397 C. Rajanna, *Under Secretary.*

NOTIFICATION

Bangalore, dated 4th November 1957.

S. O. 2142.—In exercise of the powers conferred by sub-section (1) of section 16 of the Mysore Motor Vehicles Taxation Act, 1957 (Mysore Act 35 of 1957), the Government of Mysore, being of the opinion that it is necessary in public interest so to do, hereby reduces the tax payable under the said Act in respect of stage carriages plying on the route specified in Column (1) of the Table below to the extent and for the period specified in Columns (2) and (3) respectively of the said table.

TABLE

Route	*Tax payable per quarter*		Period
	For seated passenger	Per standing passenger	
Bhalki to Chigupa via Homnabad and Muddhankhere.	7-50	3-75	For a period of two years from 27-3-1966 or till the road is taken over by P. W. D. whichever is earlier.

[No. HD 71 TMT 57.]

By Order and in the name of the Governor of Mysore,

1938 C. RAJANNA, *Under Secretary*

NOTIFICATION.

Bangalore dated the 4th November 1967.

S O. 2143.—In exercise of the powers conferred by rule 341 of the Mysore Motor Vehicles Rules, 1963, and in supersession of Government Notification No. HD 65 TMA 65, dated 18th November 1965, the Government of Mysore hereby exempts the three axled 12 K. L. capacity oil Taukers described in the schedule below of M/s Esso Standard Eastern Inc. Bangalore-1, with a gross laden weight of 17.915 metric tons from the provisions of rules 318 and 319 of the said rules for purposes of plying them on National and State High Ways in the State of Mysore, subject to the following conditions namely :—

(i) The G. L. W. of each of the vehicles shall not exceed 17.915 Metric tons, and the load coming on any one axle shall not exceed 8 tons.

(ii) The Government will not be responsible for any damage that may be sustained either by the vehicle or its contents and or occupants consequent on its movement.

(iii) The Vehicle shall not be used on such of those weak road structures for which load restriction less the permitted G. L. W. and axle load have been impose and also on other stretches of roads or road structures which have been prohibited otherwise.

(iv) The maximum speed shall not exceed 15 miles per hour on roads and 5 miles per hour on bridges C. D. works, Ghat roads and also while negotiating curves.

(v) The firm shall be liable for damage caused to the road structures either directly or indirectly consequent on the movement of the said vehicles as per the assessment of the concerned Executive Engineers.

SCHEDULE.

	I–*Truck*	II–*Truck*	III–*Truck*	IV–*Truck*
Make.	T.M.B.	T.M.B.	T.M.B.	T.M.B.
Model	L–312/42	L–312/412	L–312/412	L–312/412
Year of Manufacturing	1963	1963	1963	1963
Engine No.	312–915–460–0765	312–915–361–0306	312–915–460–0771	312–915–460–6761
Chassis No	312–057–460–0889	312–057–360–9999	312–057–460–0891	312–057–460–0886

[No. HD 197 TMA 67]

By Order and in the name of the Governor of Mysore,

1406 C. RAJANNA, *Under Secy.*

NOTIFICATION.

Bangalore, dated 7th November, 1967

S. O. 2144.—Whereas information with respect to or the destruction or obstruction of or interference with the places specified in the schedule would be useful to an enemy;

Now, therefore, in exercise of the powers conferred by sub-clause (d) of clause (8) of section 2 of the Indian Official Secrets Act, 1923 (Central Act 19 of 1923) read with the Notification No. 21/20/62-Poll (I), dated the 4th May 1963 of the Government of India, Ministry of Home Affairs, the Government of Mysore hereby declares the said places to be Prohibited Places for the purposes of the said Act.

SCHEDULE

Name of the place 1	*Locality* 2	*Boundary* 3
New Government Electric Factory Ltd. consisting of:— (a) An area of 61 acres within the perimeter wall including Motor Factory, Switchgear Factory, Transformer Factory, General Stores, 11 K. V. Main Receiving Station, 2 Bore Wells; and Cycle-Sheds.	Byappanahalli, Old Madras Road, Bangalore-1.	*South.*—Facing Byappanahalli Railway Station. *North.*—Training Battalion, Madras Engineering Group. *West.*—Facing Railway Marshalling Yard. *East.*—S.No. 15 of Bennegenahalli.
(b) Pumphouse with Bore Well No. 2		Northern side of the Factory perimeter wall facing the Tank Gate.

1	2	3
(c) Bore Well No. 4.		South-East of the Factory perimeter wall next to Madras Broad-gauge Railway line in S. No. 15, Bennigannahalli.
(d) Bore Well No. 5.		North-East of the Factory next to Krishnapalya village.

[No. HD 238 SST 67]

By Order and in the name of the Governor of Mysore,

N. LAKSHMAN RAU,
Secretary to Government,
Home Department.

1407

NOTIFICATION.

Bangalore, dated 6th November 1967.

S. O. 2145.—In exercise of the powers conferred by sub-sections (1) and (2) of Section 44 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), read with rule 88 of the Mysore Motor Vehicles Rules, 1963 and in supersession of all the previous notifications on the subject, the Government of Mysore hereby reconstitutes the Regional Transport Authority, Bijapur specified in column 1 of the Schedule to this notification consisting of the official and non-official members specified in the corresponding entry in column 2 thereof to exercise and discharge throughout the said area the powers and functions conferred by or under chapter IV of the said Act :—

SCHEDULE

1	2	3
Bijapur District	(1) The Deputy Commissioner, Bijapur District.	Official Member
	(2) The Executive Engineer, Public Works Department, Bijapur District.	"
	(3) The Superintendent of Police, Bijapur District	"
	(4) Sri K.B. Chowdhari Municipal Councillor, Bijapur	Non-Official Member

The Deputy Commissioner, Bijapur shall be the Chairman of the said Regional Transport Authority and the Regional Transport Officer, Bijapur shall be the *Ex-Officio* Secretary to the Regional Transport Authority, Bijapur.

[No. HD 227 TMA 66.]

By Order and in the name of the Governor of Mysore,

1424 C. RAJANNA, *Under Secy.*

NOTIFICATION.

Bangalore, dated 10th November 1967.

S. O. 2146.—In exercise of the powers conferred by sub-section (2) of Section 3 of the Mysore Home Guards Act 1962, (Mysore Act 35 of 1962), the Government of Mysore hereby appoints the persons mentioned in Column 2 of the table below as Commandants, Home Guards, for the period up to 31st March 1968 from the dates specified against them in Column (3), with jurisdiction over the areas specified in corresponding entry in Col. 4 thereof :—

TABLE

Sl. No.	Name of person	Date of appointment	Area
1	2	3	4
1.	Shri K. Anantharamaiah, Lawyer, Krishnarajapuram Extension, Hassan.	17-12-1967	Hassan District.
	Shri Homi Mulk Irani, Anand Bhavan, Durga Road, Gulbarga.	27-12-1967	Gulbarga District.

[No. HD 162 SHG 67.]

By Order and in the name of the Governor of Mysore,

1428 G. S. TELANG, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION

Bangalore, dated 28th October 1967.

S. O. 2147.—In exercise of powers conferred by Section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with S.O. No. 1844, dated the 18th June 1966, issued by the Government of India in the Ministry of Commerce, the Government of Mysore hereby makes the the following Order, namely :—

1. Title extent and commencement —(1) This Order may be called the Mysore Iron and Steel Control Order, 1967.

(ii) It extends to the whole of the State of Mysre.

(iii) It shall come into force on the date of the publication of this order in the *Mysore Gazette*.

2. Definition.—In this order unless the context otherwise requires :—

(i) 'Dealer' means any person who stocks and sells Iron and Steel.

(ii) 'Enforcement Officer' means any person appointed by the Controller of Civil Supplies and Iron and Steel in Mysore, Bangalore, as Enforcement Officer, in respect of such area as may be specified by him, and where no person is appionted for any area, the Inspector and/or the Assistant Inspector of Civil Supplies and Iron and Steel, having jurisdiction over that area.

(iii) 'Iron and Steel' means all or any of the categories of iron and steel, specified in the schedule to this order.

3. Dealer to issue receipt or invoice :—Every dealer shall, in respect of every sale of Iron and Steel, issue a

receipt or invoice showing his own name and address, the name and address of the buyer, the date of sale, the quantity of Iron and Steel sold, the price per unit, and the total amount charged, and shall keep a duplicate of the same with him available for inspection.

4. Display of stocks and prices.—(1) Every Dealear shall exhibit at the entrance or in some other prominent part of the place of his business, on a special board to be maintained for this purpose, the selling prices of Iron and Steel.

(2) Every dealer shall also exhibit at the entrance or in some other prominent part of the place of his business a statement indicating the stock of Iron and Steel on hand available for sale at the commencement of each working day.

(3) The price list and the statement of stock referred to in sub-clauses (1) and (2) shall be in English or Kannada or in any other language understood by the majority of the persons residing in the locality concerned and the price of iron and steel shall be specified in the international form of Indian numerals.

(4) Subject to the provisions of sub-clause (3) dealer may maintain and exhibit the price list and the statement of stocks in more than one language or in any language as he may desire.

5. Dealer to give facilities for inspection.—Every dealer shall give all facilities at all reasonable times to any Enforcement Officer for inspection of his stocks and accounts at any shop, godown or other places used by him for the storage, sale or purchase of Iron and Steel.

6. Power of entry search and seizure.—(1) Any Enforcement Officer, with a view to securing compliance with this Order, or to satisfying himself that the provisions of this order have not been contravened—

(*a*) enter into, or search any premises, vehicles, vessels or other conveyance in which he has

reason to believe that a contravention of this Order has been, is being or is about to be committed;

(*b*) seize the stocks of Iron and Steel along with packages, coverings or receptacles in which such Iron and Steel is found, and the animals, vehicles, vessels or other conveyances used in carrying such Iron and Steel in respect of which the Officer has reason to believe that a contravention of this Order has been, is being, or is about to be committed.

(2) The provisions of Sections 102 and 103 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898) relating to search and seizure shall, so far as may be apply to searches and seizures under this clause.

SCHEDULE

1. Galvanised Plain Sheets.
2. Galvanised Corrugated Sheets.
3. Black Corrugated Sheets.
4. Black Plain sheets 18 gauge and thinner than 18 gauge.
5. M. S. Plates below 8 mm. thickness.

[No. CI 53 BCS 6.7]

By Order and in the name of the Governor of Mysore,

1396

D. J. BALARAJ,
Secretary to Government,
Commerce and Industries Department.

NOTIFICATION.

Bangalore, dated 8th November 1967.

S.O. 2148.—In exercise of the powers conferred under Rule 31 (1) of the Mineral Concession Rules, 1960, the Government of Mysore hereby revoke the orders issued in Government Notification No. CI 69 EMI 66, dated 29th September 1966, sanctioning a Mining Lease for Manganese and Iron ore in respect of the area of 140 acres of land in Part of F. S. No. 63 of Apeli village, Supa Taluk, North Kanara District in favour of Messrs. United Mining and Engineering Corporation, Hospet, as the grantee failed to pay the security deposit and execute the deed within the prescribed time limit.

[No. CI 38 EMI 67.]

By Order and in the name of the Governor of Mysore,

1429 N. NARAYANASWAMY, *Under Secy.*

CORRIGENDUM

Bangalore, dated 28th October 1967.

S.O. 2149.—A Statement showing the corrections made to Government Order No. 195 TCO 1966, dated 15th/21st September, 1966 is given below :—

As per Confirmed Scheme								As per Proposed Variation						
Khata No.	Survey No.	Hissa No.	Area	Assessment	Valuation	Block No.	S. No.	H. No.	Area	Assessment	Valuation	Block No.
1	2	3	4	5	6	7	8	9	10	11	12	13
11	21	2	R 1 04	3 5 0	Rs. 1100 From K : o. 12	12	21	3A	R 1 4 0	2 8 0	Retained	13
		xx	xx			xx			xx			
12	18	...	R 8 22	10 0 0	Retained	...	18		R 8 22	10 0 0	Retained.	
	21	3A	R 1 04		Rs. 1100 Form K No. 11		21	2	R 1 04	3 5 0	Retained.	
	21	3B	R 1 01	2 6 0	Retained		21	3B	R 1 01	2 6 0	Retained	
	21	4	R 0 28	1 1 0	Retained	...	21	4	R 0 28	1 1 0	Retained	
Total of the Block			R 6 16	16 15 0		13	Total of the block		R 6 16	16 12 0		13
	29	...	D 0 35	0 4 0	Retained		21	29	...	D 0 25	0 4 0	Retained	21
	19	2	D 0 03 R 1 03	1 2 0	Retained		15	19	2	D 0 03 R 1 00	1 2 0	Retained	15
			1 08							1 03			

[No. RD 229 TCO 67.]

By Order and in the name of the Governor of Mysore,

M. K. MADAPPA, *Under Secy.*

NOTIFICATION.

Bangalore, dated 7th November 1967.

S.O. 2150.—WHEREAS the State Government considers that for the purpose of providing opportunities of training as Tahsildar for the Probationer of the Indian Administrative Service, it is expedient to appoint him as Special Tahsildar for a Taluk to exercise such powers and discharge such duties as are exercised and performed by a Tahsildar.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 12 of the Mysore Land Revenue Act 1964 (Mysore Act 12 of 1964), the Government of Mysore hereby sanction the appointment for the said purpose of one Special Tahsildar for Mangalore taluk in Mysore Division for a period of two months.

[No. RD 327 ASG 67.]

By Order and in the name of the Governor of Mysore,

1410 K.C. PUTTANARASIAH, *Under Secy.*

NOTIFICATION.

Bangalore, dated 9th November 1967.

S. O. 2151—WHEREAS the Government of Mysore in accordance with the provisions of Section 6 of the Mysore Land Revenue Act, 1964 (Mysore Act 12 of 1964) published a notice of proposal in S.O. 4459, dated the 5th May 1966, in part IV-Section 2-C(ii) of the *Mysore Gazette*, dated the 12th May 1966, regarding alteration of the limits of Gulbarga division, Belgaum division, Raichur District, Dharwar District, Kushtagi Taluk of Raichur District and Ron Taluk of Dharwar District, Gudadur circle of Kushtagi Taluk and Ron Circle of Ron Taluk, by excluding the villages of Tallihal and Honniganur from the limits of Gudadur circle of Kushtagi Taluk and by including the said villages of Thallihal and Honniganur within the limits of Ron Circle of Ron Taluk.

AND WHEREAS no objections have been received by the Government of Mysore in respect of the said proposal.

NOW, THEREFORE, in exercise of the powers conferred by Section (4) of the Mysore Land Revenue Act, 1964 (Mysore Act No. 12 of 1964), the Government of Mysore hereby alters the limits of Gulbarga Division, Belgaum division, Raichur District, Dharwar District, Kushtagi taluk of Raichur District and Ron Taluk of Dharwar District, Gudadur circle of Kushtagi Taluk and Ron circle of Ron Taluk by excluding the villages of Tallihal and Honniganur from the limits of Gudadur circle of Kushtagi taluk and by including the said villages of Tallihal and Honniganur within the limits of Ron Circle of Ron Taluk with effect from 1st December 1967.

[No RD 17 LRD 63.]

By Order and in the name of the Governor of Mysore,

1422 M. K. MADAPPA *Under Secy.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated 7th—9th November 1967.

S. O. 2152.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949 (Bombay XX of 1949) the Government of Mysore are pleased to sanction continuation of affiliation of the Vijayanagar College, Hospet, to the Karnatak University, for teaching Pre-University Arts and extension of affiliation for teaching :—

(i) B. A., Part III with

Major—Economics

Minor—History and Political Science

(ii) B. Com., Part III with Accountancy and Auditing on special subjects.

(iii) B. Sc., Part II with

Major—Mathematics, Physics, Botany and Zoology

Minor—Mathematics, Physics and Chemistry

for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University.

[No. ED 104 UAC 67.]

By Order and in the name of the Governor of Mysore,

1426 S. N. Sreenath, *Under Secy.*

PUBLIC WORKS AND ELECTRICITY SECRETARIAT.

NOTIFICATION.

Bangalore, dated the 8th November 1967.

S.O. 2153.—In exercise of the powers conferred by sub-section (1) of Section 47 of the Mangalore Port Trust Act, 1953, the Government of Mysore hereby sanctions the following amendments to condition 26 of the statement of condition issued in Government of Madras Order No. 1875, Public Works (Marine) Department Notification No.36 dated 12th May 1955, published on pages 1138 to 1146 of Part I of the *Fort St. George Gazette* dated 3rd August 1955 of the Government of Madras as subsequently amended.

The amendments hereby made shall come into force with immediate effect.

In the said statement of conditions in Condition 26

1. in Clause (1) after note (b), the following Note shall be added, namely :—

> "*Note* (c) The licence and leases will be issued under the signature of the Secretary".

2. for Clause (10) the following Clause shall be substituted, namely :—

> "(10) In case of any encroachment or unauthorised occupation, the Board at its discretion may cause such encroachment or occupation regularised or evicted at the cost of the Licensee/lessee. In the case of regularisation, Ground rent shall be charged at the monthly or weekly rates, as the case may be, till the date of regularisation of the occupation and, in the case of removal or eviction, at twice the monthly or weekly rates till the date of vacation of the area or eviction, as the case may be".

3. for Clause (11) the following Clause shall be substituted, namely :—

"(11) Except in the case of Pucca buildings constructed in accordance with the provisions of sub-clause 5 the lessee shall not sublet the leased land or structures put up by him.

The lessee desirous of sub-leasing the land or building thereon should furnish full particulars of name of the proposed sub-lessee, the part or portion to be sublet, rent fixed for the sub-lease, the period and the purpose for which the building is to be used. The decision to authorise the sub-lease shall vest with the authority who has granted the lease and the original lessee, as well as the sub-lessee or actual occupant thereof shall be responsible to the Board for all rents and other charges due to the Board".

4. for Clause (12) the following Clause shall be substituted, namely :—

"(12) (i) In case of applications for Licence/Lease of Port Trust Land, such occupation shall not commence prior to issue of License/ Lease. Any occupation made prior to issue of Licence/Lease shall be assessed at twice the annual rate of ground rent applicable to the land in question, on prorata basis for the period prior to the date of regularisation. In case such occupation is not regularised, the occupant shall be charged at twice the monthly or weekly rates, as the case may be, till the date of vacation of eviction.

(ii) The Licensee/Lessee shall also be responsible for renewal of Licence/Lease prior to its expiry if he is desirous of continuing the occupation and shall apply for renewal of Licence/Lease at least sixty

days prior to expiry of the period of Licence/Lease as provided under sub-clause 3 (i). Failure in this regard and occupation subsequent to expiry of Licence/Lease term shall be deemed to be unauthorised, and rent shall be levied at twice the monthly/weekly rate unless such occupation is regularised on payment of penalty in accordance with the succeeding sub-clause".

[No. PWD 82 PMT 66].

By Order and in the name of the Governor of Mysore,

1410 R. R. NAIK, *Deputy Secy.*

DEVELOPMENT, HOUSING, PANCHAYATI RAJ AND CO-OPERATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated 9th November 1967.

S. O. 2154.—In exercise of the powers conferred by the Rule 18 of the Mysore Agricultural Produce Markets Rules 1967, the Government of Mysore, are pleased to extend the terms of IV Agricultural Produce Market Committee, Sakleshpur, constituted in G. O. No. DPC. 106 CMD 64 dated the 20th April, 1964, for a further period, ending with 31st December, 1967.

[No. DPC 337 CMD 67.]

By Order and in the name of the Governor of Mysore,

1425 S. V. PRABHU, *Under Secy.*

EDUCATION SECRETARIAT

NOTIFICATION.

Bangalore, dated 14th November 1967.

S. O. 2155.—In exercise of the powers conferred under sub-section (3) of Section 52 of the Karnatak University Act, 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the S. S Margol Arts and Science College, Shahabad, to the Karnatak University, for teaching Pre-University Courses in Arts and Science for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University. The management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year regarding its financial stability.

[No. ED 111 UAC 67.]

By Order and in the name of the Governor of Mysore,

1434 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated 13th November 1967.

S. O. 2156 —In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949, (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the J. G. Murusavirmath Women's Arts College, Hubli, to the Karnatak University, for teaching Pre-University Arts and B. A. Part I Courses for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University as also to the condition that the Management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year about its financial position.

[No. ED 106 UAC 67].

By Order and in the name of the Governor of Mysore,

1435 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated the 13th November 1967.

S. O. 2157.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the R.T.E. Society's Arts and Science College, Ranebennur to the Karnatak University, for teaching Pre-University Courses in Arts and Science for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University, as also to the condition that the Management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year about its financial position.

[No. ED 105 UAC 67.]

By Order and in the name of the Governor of Mysore,

1436 S. N. SREENATH, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

GOVERNMENT OF MYSORE

(COMMERCE AND INDUSTRIES DEPARTMENT)

Subject.—**Determination of Mining Lease granted to Shri V. D. Malagaonkar, Jagalpet for Manganese ore over an area of 114.4 acres in F. S. No. 30 (Part) of Titwali Village, Supa Petha Taluk, North Kanara District, for a period of 20 years.**

READ.—

i) Government Order No. CI 584 MNL 57, dated 6th August 1958.

ii) Government Letter No. CI 105 EMI 67, dated 20th July 1967.

iii) Letter No. 106 DTN 67, dated 18th October 1967 from the Director of Mines and Geology, Bangalore.

Preamble.—

Government in their Notification read at (i) above sanctioned the grant of M.L. over the above mentioned area to Shri V.D. Malagaonkar, Jagalpet and the said lease bearing No. 405 was executed on 24th October 1958.

In the Government letter at (ii) read above, Government issued a notice to the lessee calling upon him to pay the arrears of Rs. 1,710/— towards mining revenue due to Government, within a period of sixty days from the date of that letter, failing which further proceedings would be taken to determine the Mining Lease in question and also forfeit the whole of the Security Deposit paid by the Lessee on this account.

The Director of Mines and Geology, Bangalore in his letter read at (iii) above reports that Shri V. D. Malagaonkar, Jagalpet has neither responded to the Government letter read at (ii) above nor has he taken any steps to clear the arrears of Rs. 1,710/—due to Government and, hence the Director advises Government that the Mining Lease in question may be determined.

ORDER

Bangalore, dated the 8th November 1967.

S. O. 2158.—Government hereby order determination of the above mentioned Mining Lease granted to Shri V. D. Malgaonkar, Jagalpet with effect from 20th September 1967 and also the adjustment of the Security Deposit, etc., paid by the lessee against the dues.

(No. CI 105 EMI 67.)

By Order and in the name of the Governor of Mysore,

1430 N. NARAYANASWAMY, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 4th November 1967.

S.O. 2159.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Quartz and white Clay to Shri R.T. Bhandage in the following areas of the Khanapur Taluk, Belgaum District on the terms and conditions mentioned below :—

Village	*S. Nos.*	*Area*
Naikol	F.S. No. 43	127 acres (51-39 hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and conditions—

1. The licence shall be operative for a period of one year with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government.

2. The licensee shall pay to Government a prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year.

3. The quantity of ore to be removed under this license, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14 (ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in second schedule to the Mines and

Minerals (Regulation and Development) Act, 1957, and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) ;

6. If any other mineral is traced during the course of prospecting, the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central Government or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically ; and

12. The licensee shall not give any ore-raising contract during the prospecting stage ;

13. The area mentioned above is subject to verification after actual survey.

[CI 158 EPI 67.]

By Order and in the name of the Governor of Mysore,

N. NARAYANASWAMY,

Under Secretary to Government,

1431 *Commerce and Industries Department.*

Revenue Secretariat

NOTIFICATION

Bangalore, dated 8th November 1967.

S. O. 2160.—In exercise of the powers conferred by Section 78 of the Indian Registration Act 1908 (Central Act XVI of 1908) the Government of Mysore hereby makes the following further amendment to the table of fees notified in Notification No. RD 2 GRG 61 dated 13th December 1962 *viz.*,

In the table of fees annexed to the said Notification in Article XXXIV after item (36) the following item shall be added namely.—

"(37) for the registration of instrument executed by the widow or/ children of a member of the Armed Forces of the Union killed in action subject to the condition that a certificate by the Officer Commanding or the Officiating Officer Commanding of the unit to that effect shall be produced before whom the instrument has to be registered".

Nil

(No. RD 94 EST 67.)

By Order and in the name of the Governor of Mysore,

1433 M. A, Shampbasd, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT.

NOTIFICATION.

Bangalore, dated 9th November 1967.

S.O. 2162.—In pursuance of sub-section (1) of Section 6 of the Mines and Minerals (Regulation and Development) Act, 1957, and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the said Act, the Government of Mysore are pleased to sanction the grant to Shri R. G. Janthakal of a Mining Lease for twenty years for Manganese in respect of the area of 160 acres (64-75 hectares) of land in Gurnaiddapura Village Jagalur taluk Chitradurga District, S. Nos. as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below :—

(*a*) Mining Lease should be in respect of Manganese only. If other minerals are found in association with Manganese they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Manganese should do so only after the consent of Government is obtained in writing.

(*b*) Royalty at the rates prescribed in the second schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 12 50 in respect of each mineral per hectare per annum, whichever is greater, shall be charged provided that dead rent shall not be payable for the first year of the lease.

(*c*) Surface rent at the rate of Rs. 2-50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(*d*) If Beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act, No. XXIX of 1948, is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(*e*) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(*f*) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(*g*) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(*h*) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the ores collected during the mining operations.

(*i*) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(*j*) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(*k*) The total area held by the lessee under Mining Leases including the present one shall not exceed 25.9 Sq. Kilometres.

(*l*) Government shall have the right of purchasing the ore at current market rates.

(*m*) The lease would be determined if the lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(*n*) The area mentioned above is subject to verification after actual survey; and

(*o*) The lessee shall produce a minimum of 2,500 tons during the first year 35 0 tons during the second year and progressively increase to 5000 (five thousand) tons from third year onwards.

[No. CI 179 EMO 67.]

By Order and in the name of the Governor of Mysore,

1439 N. NARAYANASWAMY, *Under Secy.*

NOTIFICATION

Bangalore, dated 9th November 1967.

S.O. 2163.— In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957 and after obtaining the approval of the Government of India, accorded under sub-Section (2) of section 5 of the said Act the Government of Mysore are pleased to sanction, the grant to Shri K. Nagaraja Rao, of a Mining Lease for twenty years for Manganese in respect of the area of 49 acres (19-83 hectares) of land in Part of S. No. 10 and 11 of Hosur Village, Shikaripur Taluk, Shimoga District, as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below :—

(*a*) Mining Lease should be in respect of Manganese only. If other minerals are found in association with Manganese they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Manganese he should do so only after the consent of Government is obtained in writing.

(*b*) Royalty at the rates prescribed in the Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 12-50 in respect of each mineral per hectare per annum, whichever is greater, shall be charged provided that dead rent shall not be payable for the first year of the lease.

(*c*) Surface rent at the rate of Rs. 2–50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(*d*) If beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act, No. XXIX of 1948 is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(*e*) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(*f*) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(*g*) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(*h*) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the ores collected during the mining operations.

(*i*) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(*j*) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(*k*) The total area held by the lessee under Mining Leases including the present one shall not exceed 25.9 Sq. Kilometers.

(*l*) Government shall have the right of purchasing the Ore at current market rates.

(*m*) The lease would be determined if the Lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(*n*) The area mentioned above is subject to verification after actual survey.

[No. CI 44 EMO 67.]

By Order and in the name of the Governor of Mysore,

440 N. NARAYANASWAMY, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute :—Industrial Dispute between the Workmen and the Management of M/s B. L. S. (P) Ltd., Chamarajanagar.

Award of the Labour Court, Bangalore—Published.

Read the following papers :

(1) Letter No. 824/67--68 dated 21th October 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 24th day of October 1967.

Present :

Sri P. T. Kadkol, B.Sc., LL.B., ... *Presiding Officer.*

Reference No. 77 of 1965.

Workmen represented by the Secretary, Mysore Division Motor Workers' Association, Old Post Office Road, Chamarajanagar, Mysore District. ... *I Party.*

Vs.

The Management of M/s. B. L. S. (P) Ltd., Chamarajanagar. .. *II Party.*

Reference:

Government Order No. LMA 502 LLD 65, dated 15th December 1965.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/s B. L. S. (P) Ltd., Chamarajanagar, have referred

it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 502 LLD 65, dated 15th December 1965, setting out the following points of dispute for adjudication :—

> "Is the worker Sri Govindaiah, Driver of M/s B.L.S. (Private) Ltd., Chamarajanagar, entitled for reinstatement with back wages and continuity of service with arrears of his salary for the months of October and November 1963; if not to what other relief he is entitled to?"

2. The cause of the aggrieved workman has been sponsored by The Mysore Division Motor Workers' Association, Chamarajanagar. This Union as representing the Workmen is the First Party and the Management of M/s B.L.S. (Private) Ltd., Chamarajanagar, is the Second Party in this proceeding. The Secretary of the Union, Mr. Vishakantiah, has appeared for the First Party. Mr. Stanley Victor has appeared for the Management of the Second Party.

3. The dispute relates to workman Govindaiah. He was working as a Motor Vehicle Driver under the Second Party, which is an Establishment running Bus Transport Service. The Second Party has its Head Office at Coimbatore and a branch office at Chamarjanagar. Govindaiah was working under the Branch Office at Chamarajanagar. Admittedly, he was in service for more than 3 to 4 years.

4. The grievance made out by the Union, in the statement of claims dated 25th January 1966, is that the Management has unlawfully and illegally terminated the service of Govindaiah with effect from 7th December 1963. It has prayed that the Management be directed to reinstate him in service with full back wages and continuity of service.

5. In the Statement of objections dated 23rd January 1967, the Management has contended that Govindaiah was extremely irregular in his attendance and used to remain absent for various days off and on, and finally, from 7th December 1963, stayed away from work. A notice was issued to him by the Management, but Govindaiah did not care even to send a reply thereto. The Management was, therefore, justified in assuming that he had

quitted the job, of his own accord. The Management has not terminated his services. Hence, Govindaiah is not entitled to any of the reliefs claimed by him and, therefore, the Reference deserves to be rejected etc,

6. On these pleadings, the following issues have been framed (*Vide* Order Sheet dated 27th February 1967) and set down for hearing :—

1. Does the First Party prove that the services of the aggrieved workman have been illegally terminated by the Management of the Second Party ?
2. Does the Second Party prove that the aggrieved workman has absented himself and stayed away from work inspite of notice and hence is deemed to have given up his job voluntarily ?
3. What Award ?

Parties were asked to lead evidence on these issues. The Union has examined the aggrieved workman Govindaiah (W.W. 1) and produced five documents marked Exts. W. 1 to W 5. The Management has not led any oral evidence but has produced 14 documents marked Exts M. 1 to M 14 and one more document marked 'A' for identification. This is all the evidence. I now proceed to consider it.

7. There is no dispute about the fact that Govindaiah was in the employ of the Second Party and everything was moving smoothly till about the end of February 1963. The case of the Management is, that since March 1963, Govindaiah became irregular in attendence. According to it, Govindaiah worked as under :—

March 1963	...	He was on leave for 4 days and remained absent for the rest of the month.
April 1963 May 1963	...	Remained absent on all days in these two months.
June 1963		Worked for 11 days and remained absent for the rest of the days.
July 1963	...	Worked full month.
Aug. 1963	...	Worked for 22 days and remained absent for the remaining days.

Oct. 1963 ... Worked for 16 days only.

Nov. 1963 ... Absent for the entire month.

Dec. 1963 Worked only for 6 days and then remained absent.

8. In support of this averment, the Management has produced the Wage Payment Sheets from February 1963 to December 1963. They are regular payment sheets kept in the ordinary course of business. The workers have signed on them for receiving payment of their salaries and wages. Govindaiah also has signed on them whenever he has received payments and he has admitted his signatures in them. These payment sheets show that Govindaiah has received the following payments in the following months.

1963	*Total Salary*	*P.F. Deductions*	*Amount actually received*
Ex. M. 4 Feb.	71.25	4.50	66.25
Ex. M. 5 March	71.25	Marked Absent	
Ex. M. 6 April		Name does not appear	
Ex. M. 7 May		Name does not appear	
Ex M. 8 June	71.25	1.75	24.37 (11 days)
Ex. M. 9 July	71.25	4.50	66.75 (31 days)
Ex. M. 10 Aug.	71.25	4.50	66 75 (31 days)
Ex M. 11 Sept.	71.25	4.50	66.75 (30 days)
Ex. M. 12 Oct.	71.25	2.50	38.87 18 days) (pay not taken)
Ex. M. 13 Nov.		Name does not appear	
Ex. M. 14 Dec.	71.25	1.00	15.08 (7 days) (not taken)

Govindaiah has signed against the payments received by him in Exts M 4. M.8, M.9, M 10 and M.11 and has admitted his signatures. He has not taken his salary as made out in Exts. M.12 and M.14. It can be seen from these payment sheets that Govindaiah was absent from duty on the days mentioned by the Management.

9. In this connection the statement made by Govindaiah (W.W.1) in his cross-examination deserves to be noted. He has stated :—

"It is true that I was not paid my salary in March 1963 as I did not work in February. Management did not pay me because I did not work. In April and May 1963 Management paid me my salary, though it has not been mentioned in Exts. M.6 and M.7. At times my signature was taken in the payment sheet and at times not. I do not remember if I was going for work in March and April 1963. It is true that in June 1963, I received Rs. 24 37 as my salary (Ex. M 8). I received less pay because I was on leave for 19 or 20 days. In July I received my full pay and Ex M 9 is my signature in the payment sheet. In August 1963, I received my full pay. Ex. M.10 is my signature in the payment sheet. In September 1963, I received my full pay and Ex. M.11 is my signature in the payment sheet. In October 1963, the Management offered me Rs. 38.37 as per Ex. M 12 and I did not take it (*Vide* para 13)"

10. When wage payment sheets have been regularly maintained by the Management, I can not believe Govindaiah when he says that at times, his signatures were not taken in the payment sheets. It is clear from these admissions made by Govindaiah and the documents maintained by the Management in the regular course of business that he (Govindaiah) was very irregular in attendance.

11. The trouble appears to have started when the Management offered Govindaiah Rs. 38 37 only as salary in October 1963. Govindaiah wrote the letter Ex. W.1 dated 14th November 1963 to the Head Office at Coimbatore complaining therein that an illegal deduction had been made in his salary for October 1963 and demanding full payment. He followed it up by another letter (Ex. W.2) dated 28th November 1963,. On 29th November 1963, the Management sent him the reply (Ex. W. 3) stating that deductions in his salary for October 1963 had been made because he had remained absent without leave and asking him to attend office regularly, morning and evening, and sign in a register kept for that purpose. It appears that Govindaiah signed in the said register for a few days. Then, according to Govindaiah the register was kept back and he was not allowed to sign in it. According to the

Management, Govindaiah did not turn up at all from 7th December 1963 to sign in the register. So, the Management wrote to him the letter dated 9th April 1964 (posted on 18th April 1964) marked 'A' for identification It is a notice issued to him by the Management to show cause why he should not be dismissed from service for his continued absence from 7th December 1963. Govindaiah has stated that he has not received any such notice. At the same time he has admitted his signature on the postal acknowledgement Ex. M 2. It shows that he has received one communication from the Management on 22nd April 1964. When questioned further, he has stated that he has handed it over to the First Party Union Secretary Mr. Vishakantaiah. The Union has not produced it. Then on 20th April 1964 Govindaiah has written the letter Ex. W.4 to the Management. He has said therein that he was attending the office regularly but the register was not being given to him for his signature. Then he has stated that in May and June 1964 he had not attended the office on medical advice, as he was ill. He has demanded his salary from November 1963 to May 1964 amounting to Rs. 519-75. On 20th June 1964 (posted on 22nd April 1964) the Management has written the letter Ex. M.3 (Same as Ex. W.5 to Govindaiah. Therein it has brought to the notice of Govindaiah its letter of 18th April 1964, acknowledged by him on 22nd April 1964 and said that he had not sent any reply thereto. It has concluded the letter saying that he had stayed away from work from 7th December 1963 and hence had ceased to have a lien on his job under it. The Management has reiterated all these facts in its reply dated 21st July 1964 to the Conciliation Officer (*Vide* Ex. M.1).

12. From the evidence discussed so far, it is clear that Govindaiah was highly irregular in his attendance. He has remained absent and has not received his salary in some months and received it partly in some months. He has not proved that he was absent by taking leave. Then in 1964 again, on his own admission he has remained absent in April and May. The letter acknowledged by him under Ex. M. 2 has not been produced and according to the Management that letter is the document marked 'A'. No independent evidence of co workers also has been adduced by Govindaiah to show that he was attending office and the register was not being given to him for his signature. Then between 28th November 1963 (Ex. W. 2) and 20th June 1964 (Ex. W. 4) he has remained completely silent. He has not written to the Management that the local Branch Manager was not giving him the register for his signature, even though he was attending

office as per directions given in Ex. W. 3. All these facts and circumstances lead to only one inference, and that is, that Govindaiah himself has stayed away from work voluntarily. In these circumstances, the Management was justified in assuming that Govindaiah had abandoned his service. In view of this conclusion, I record my finding on the first issue in the negative and on the second issue in the affirmative.

13. In the result, it follows that Govindaiah is not entitled to any reliefs. Hence I make an Award as under :—

AWARD.

This Reference and the demands made by Govindaiah and the first party Union on his behalf, except the salary of 18 days in October 1963 and seven days in December 1963 totalling to Rs. 53.95 P, do stand rejected. The Management of the Second Party is directed to pay Govindaiah a sum of Rs. 53.95 P towards arrears of salary. I make no order as to costs.

(Sd.) P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"Copy"

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER

Bangalore, dated 4th November 1967.

S.O. 2164.—WHEREAS by State Government Order No. LMA 502 LLD 65, dated 15th December 1965, the Industrial Dispute between the Workmen and the Management of M/s. B. L. S. (P) Ltd. Chamarajanagar, was referred to the Labour Court, Bangalore for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore, are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 502 LLD 65.]

By Order and in the name of the Governor of Mysore,

1412 G. G. PUROHIT, *Under Secretary*.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute :—Industrial Dispute between the Workmen and the Management of New Fort Lunch Home, K.R. Road, Bangalore-2.

Award of the Labour Court, Bangalore—published.

Read the following papers :—

Letter No. 822/67-68, dated 23rd October 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 23rd day of October 1967.

Present :

Sri P. T. Kadkol, B.Sc., LLB. ... Presiding Officer.

Ref. No. 20 of 1967.

Workmen represented by the Secretary, Bangalore District Hotel and Canteen Workers' Union, 50-A, Arcot Srinivasachar Street, Bangalore-2. ... *I Party.*

Vs.

The Management of New Fort Lunch Home, K. R. Road, Bangalore-2. ... *II Party.*

Reference:

Government Order No. LMA 59 LLD 67 Bangalore, dated 15th February 1967.

AWARD.

The Government of Mysore, being of the opinion that an industrial dispute exists between the Workmen and the Management of M/s. New Fort Lunch Home, Bangalore, have referred it to

this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947 by their Order No. LMA 59 LLD 67, dated 15th February 1967, setting out the following points of dispute for adjudication :—

> "Is the management of New Fort Lunch Home, K. R. Road, Bangalore-2, justified in terminating the services of Sri. Hari Rao? If not what is the relief the worker is entitled to?"

2. The cause of the aggrieved workman has been sponsored by the Bangalore District Hotel and Canteen Workers' Union, Bangalore which is a registered Trade Union. This Union, as representing the workmen, is the first party and the Management of the New Fort Lunch Home, Bangalore is the Second Party. The Union is represented by its President, Sri. S. Suryanarayana Rao. The Management is represented by Sri. P. Parameshwarayya, the proprietor of the Establishment.

3. The President of the Union has submitted the Statement of Claims, dated 3rd April 1967. The averments made therein are these :—

> The aggrieved workman Hari Rao was in the service of the Second Party for about 26 months; on 8th July 1966, the Management of the Second Party terminated his services, all of a sudden, without any reason and without any enquiry; the said termination is illegal and unjustified; hence it should be set aside and the Management be directed to reinstate the workman in his former post, with full back wages and continuity of service etc.

4. The proprietor of the Second Party Establishment has submitted the Statement of his objections dated 22nd April 1967. The averments made by him therein are these :—

> It is true that Hari Rao was in the service of the Second Party for 26 months; but it is not true to say that his services were terminated on 8th July 1966 by the management; he was working as a supplier: he was assigned to serve in the room meant for "families"; it was complained that he was not behaving properly with girl students visiting the establishment; one Sri R. Rangappa, a customer present in the family

room with his family, gave a complaint in writing on 5th July 1966 that Hari Rao had misbehaved with two girls; on 7th July 1966, the same gentleman gave another complaint regarding the misbehaviour of Hari Rao; the proprietor made enquiries and found that Hari Rao was in fact misbehaving; hence the proprietor directed him (Hari Rao) to do the work of a supplier in another room instead of in the family room; feeling aggrieved by this order of the proprietor, Hari Rao stayed away from work voluntarily, without informing the Management anything; thereafter on 8th July 1966 Hari Rao got a notice issued to the Management through the first party union to the effect that the Management had wrongfully terminated his services; the Management sent a reply to the Union, denying that it had done so and stating that Hari Rao had voluntarily stayed away from work and if Hari Rao turned up, work would be given to him; on receipt of this reply, Hari Rao came for work; the proprietor asked him to serve the customers in the common hall; he refused and demanded that this accounts should be settled; hence the Management made his accounts and found that Hari Rao owed a sum of Rs. 150 to the Management towards the advances taken less the salary due to him up to that date; Hari Rao promised to pay the said amount of Rs. 150 within 6 months and left the service of his own accord; thereafter as a matter of precaution the Management intimated Hari Rao on 15th July 1966, by issuing a notice, that his services had been terminated for misbehaviour; hence it can be seen that Hari Rao has abandoned his job voluntarily and even if it is deemed that the Management has terminated his services, the termination is fully justified; in these circumstances, the Reference deserves to be rejected, etc.

5. On the basis of these pleadings, the following issues have been framed on 24th June 1967 (*Vide* Order Sheet) and set down for hearing :—

1. Does the First Party prove that the Second Party has terminated the services of the workman Hari Rao?

2. Does the Second Party prove that Hari Rao has stayed away from work voluntarily for the reasons set out in the written statement ?

3. Does the Second Party prove the alleged misbehaviour of Hari Rao, as server in the family room ?

4. Is Hari Rao entitled to be reinstated with or without back wages and continuity of service ?

5. What Award ?

Parties were asked to lead evidence on these issues.

6. The case was fixed for evidence on 13th July 1967. On that day, Mr Suryanarayana Rao sought an adjournment on the ground that his party (Hari Rao) had not come and was reported to be ill. The Management also sought an adjournment. Hence the adjournment was granted. Thereafter the case came up for evidence on 1st August 1967. It was found that the First Party had no notice of the date fixed for evidence. Hence it was adjourned and posted to 2nd September 1967 and notice was directed to be issued to the First Party. The Notice was sent to the Second Party, by mistake, though it was not necessary. Hence on 2nd September 1967, the case was again adjourned and posted to 23rd September 1967 and notice was directed to be issued to the First Party. The Notice issued was received by Mr. Suryanarayana Rao on 5th September 1967 (*Vide* postal acknowledgement included in the file) when the case was called out on 23rd September 1967, it was found that none was present on behalf of the First Party. The aggrieved workman Hari Rao also was not present (*Vide* Order Sheet). Hence the case was heard in the absence of the first party.

7. On behalf of the Management of the Second Party, the proprietor of the Establishment, Sri Parameshwarayya, has examined himself as M.W. 1. He has also produced two documents marked Exts. M. 1 and M. 2. Parameshwariah has sworn to many of the facts set out by him in the statement of objections. In particular, he has stated that Hari Rao was working as supplier in the room meant for ladies; many lady customers were complaining to him about his misbehaviour; he ignored the complaints for some time; then on 5th July 1966, one Rangappa who was in the family room with his family for refreshments, complained to him against Hari Rao and even gave him the written complaint Ex. M. 1; then he asked Hari Rao to serve in the room

outside; Hari Rao did not like the change and stayed away from work, etc; Parameshwariah has also stated that he took part in the conciliation proceedings. He has produced a copy of the conciliating proceedings at Ex. M 2 Rangappas complaint corroborates the statement made by Parameshwaraiah. The conciliation proceedings show that Parameshwariah had taken Hari Rao back to duty on 12th July 1965. Parameshwarayya has stated that on 12th July 1965, he again asked Hari Rao to serve in the out-side room and not in the family room, but Hari Rao did not like the change and went away after settling his accounts. In the absence of any evidence to the contrary, I see no reason to reject the testimony of M.W. 1 and the evidence afforded by Exts. M. 1 and M. 2.

8. The burden of proving that Hari Rao's services were terminated by the Management lay on the First Party. By remaining absent and leading no evidence, it has failed to discharge the same. Hence, I shall have to record my finding on the first issue in the negative and I do so. By his own oath, corroborated to some extent by the documents Exts. M. 1 and M 2, Parameshwarayya has proved that Hari Rao left his job voluntarily in the circumstances stated by him. Accepting it, in the absence of any evidence to the contrary, I record my finding on the second issue in the affirmative. In view of my findings on the first and second issues, the third issue will not survive.

9. It follows, therefore, that Hari Rao is not entitled to be reinstated. In the result, I make the Award as below :—

AWARD

The Reference, as also the demands made by Hari Rao and the First Party Union on his behalf, are rejected with no order as to costs.

P. T KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"COPY"

P. T. KADKOL,
Presiding Officer,
Labou Court, Bangalore.
23-10-67

ORDER.

Bangalore, dated the 6th November 1967.

S. O. 2165.—WHEREAS by State Government Order No. LMA 59 LLD 67, dated 15th February 1967, the Industrial Dispute between the Workmen and the Management of New Port Lunch Home, K. R. Road, Bangalore-2. was referred to the Labour Court, Bangalore for adjudication ;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 59 LLD 67.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary.

1417

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT. (LABOUR).

Labour Dispute —Industrial Dispute between the Workmen and the Management of Sri Siddeswara Textile Mills (P) Ltd., Davangere.

Award of the Labour Court, Hubli Published.

Read the following papers :—

(1) Letter No. 1542/67-68, dated 28th October 1967 from Shri Syed Aziz uddin Ahmed Presiding Officer, Labour Court Hubli.

IN THE LABOUR COURT HUBLI

Dated 28th October 1967.

Reference (ID (LC) H, No. 80 of 1966.

Present :

Sri Syed Aziuddin Ahmed, M.A., B.L., *Presiding Officer.*

Between

The Workmen of Sri Siddeswara Textile Mills (Private) Ltd., Davangere represented by the Secretary, Sri Siddeshwara Textile Employees Association, Nittavalli Road, Davangere. ... *I Party.*

And

The Management of Sri Siddeshwara Textile Mills (P) Ltd., Davangere. ... *II Party.*

This is reference U/s 10 (1) (c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their Order No. LMA 359 LLD 66 dated 15th December 1966. The point of dispute referred for adjudication :—

> "Is the management of Sri Siddeswara Textile Mills (P) Limited, Davangere, justified in dismissing Sri Maqbul Sab, T. No. 39 R. F Sider with effect from 22nd January 1966. If not is the worker entitled to reinstatement with back wages and continuity of service ?

2. The cause of the aggrieved workmen has been sponsored and espoused by Sri Siddeshwara Textile Employees Association, Devangere represented by its Secretary. Sri M. C. Narasimhan, General Secretary of the Karnataka Pradesh Trade Union Congress appeared for the I Party while Sri C. P. Chandra Dass, Assistant Law Officer of the South India Mill-owners Association, Coimbatore appeared for the second. In response to the notices issued by the Court, the parties filed their pleadings, dated 31st May 1967 and 13th June 1967 respectively.

3. The sum and substance of the Claim Ssatement is that Sri Maqbul, the delinquent workmen had put in many years of service under the II Party. He was served with a charge-sheet dated 18th January 1966 after a show cause notice dated 14th January 1966 was issued to him. He was accused of riotous or disorderly behaviour during the working hours etc., and after a so-called enquiry, he was dismissed from service with effect from 22nd January 1966. The delinquent workmen was an active member of the I Party union and his dismissal was influenced by this factor. He is not guilty of the charge levelled against him. The Management had acted *mala fide* and the order is viciated by victimisation and thus the enquiry was opposed to the principles of natural justice.

4. The II Party in its Counter Statement denied knowledge of the fact that the delinquent workman was a member of the I Party union It maintained that even if the workman was such an active member, it could not give him a carte blanche to do anything and everything on that score. The delirquent was dismissed solely for the misconduct committed by him and not for any other reason. The point of dispute specified in the order of reference was adopted as issue in the case.

5. When the case was taken up for hearing on 19th June 1967 at Davargere camp, Sri Siddramappa, President of the I Party union filed an application seeking adjournment. As adjournment could not be granted at the mere askance, I heard the arguments of Sri B. C. Chandra Das Assistant Law Officer of the Management, who was present in the Court. He declined to lead oral evidence and stated that he would rely on the domestic enquiry. He filed the connected papers and the entire set was marked as Ex. M 1 series. The case was adjourned to hear the representative of the I Party. When the case was taken up for hearing again at

Davangere Camp on 20th September 1967 Sri M. C. Narasimhan, General Secretary, Karnatak Pradesh Trade Union Congress appeared for the I Party and Sri C. P. Chandra Das appeared for the second. Sri M. C. Narasimhan examined one witness in proof of the allegation that the management had victimised the workman. The representative of the II Party had no objection in examining witness on this point. The II Party also examined one witness in rebuttal and both the parties were heard afresh.

FINDINGS

Ex. M-1(a) is the show-cause notice dated 14th January 1966. It runs thus :—

> "It is reported by maistries that you have severely threatened, beaten and used abusive language to the workers by name Basavaraj, Devendrappa and Rudrappa, for no fault of them, inside the mills premises. You behaved arrogantly by giving impertinent answers when questioned by maistries and supervisor.
>
> This act of yours constitute the misconduct of, Riotous or disorderly behaviour during working hours of the establishment or any act subversive of discipline' and 'threatening or intimidating any employee of the works' under Standing Orders 15 (3) (c) (h) & (M)." etc.

Ex. M-1 (c) is his reply to the show cause notice Ex. M1 (a) In his repely the delinquent workman denied the charages levelled against him. Ex. M-1 (d) is the chargesheet. It is in the manner of Ex. M-1 (a). The management latter appointed Sri L. Shivappa, Labour Welfare Officer to conduct the domestic enqniry. Tne Enquiry Officer recorded the statements of four witnesses. From the proceedings Ex. M-1 (c) it transpires tha the II Party examined first their witnesses in the presence of tht delinquent workman and allowed him all opportunities to crosse examine them. Ex. M-1 (j) is the statement of Maqbul Sab, the delinquent workman, wherein he has stated that as he was an executive committee member false allegations have been levelled against him. He has further stated that he had no witnesses on his behalf. Ex. M-1 (k) is the findings of the Enquiry Officer. After perusing the proceedings of the domestic enquiry, the management passed the dismissal order Ex. M-1 (1) dismissing him from service from 18th January 1966. As there could be no

retrospective order of dismissal, that the management passed the second order of dismissal Ex. M-1 (m) dated 22nd January 1966 dismissing him from service forthwith.

7. Now, I shall refer to the oral evidence in the case. Maqbul Sab W. W. 1 is none other than the delinquent workmen. He deposed that he is an executive committee member of the Sri Siddeshwar Textile Employees Association, Davangere (S. T. E. E. A. There are two unions functioning among the workmen. S.T.E.E.A. is an outside union. He does not remember the name of the other union. The other union is a union sponsored by the Maistries of the II Party. Maistry Hussen Sab belongs to the Maistries Union, which is a pro-management union. He had collected the subscription of the members of his union outside the mill premisees whereas the maistries collected the subsriptions of the members of the union inside the mill Hussen Sab asked him to pay the subscriptions to his union but he refused. Thereupon, he threatened to remove him from the job. In rebuttal, Hussan Sab, M. W. 1 deposed that he has not organised any union in the mill nor had he collected subscription from any worker. He did not ask Maqbul Sab to pay him subscription. There is a union organised by the maistries in the II Party Mill. He is not a member of any union. From a persusal of the proceedings of the domestic enquiry, it is found that the enquiry has been fairly and properly conducted. It does not suffer from any flaw. Sri Narasimham, the learned representative of the I Party made much of the fact that the statements of the management witnesses suffer from contradictions. The witnesses have stated that the incident took place at night meaning thereby the night-shift and yet they have stated that the incident took place at about 11 O'clock in the night. This could not be the hour of the night shift. This cannot be considered a material contradiction. In ordinary parlance 11 O'clock in the night could well be described as night. The I Party has filed a representation of the workmen to the II Party asking then to allow him to have an observer at the time of the domestic enquiry. It is not clear whether this representation was made to the Enquiry Officer. In 1960 (2) LLJ page 288 and in 1961 (2) LLJ page 417 there are observations to the effect that a workmen against whom an enquiry is being held by the management, has no right to be represented at such an enquiry by a representat ve of his union. Though the employer, in his discretion, can and may allow him to be so represented and it cannot be said that in any enquiry against a workmen natural justice

demands that he should be represented by a representative of the union. In this view of the matter, it cannot be said that the management committed any grave error. The deposition of Maqbul Sab W. W. 1 cannot be believed. Ordinarilly, no member of one union would ask the member of another rival union to pay him subscription. This appear to be a story invented to suit the purpose. This does not establish any victimisation on the part of the management. At best, it was a quarrel inter so between the workmen of the mill with which the management would have nothing to do. Besides, Hussen Sab has categorically denied that he had asked subscription from Maqbul Sab. From the statements of the management witnesses it has been clearly established that aggrieved workman had threatened and assuelted Devendrappa, Basavaraj and Rudrappa. Hussan Sab has stated that he had seen the beating. Perhaps in order to prejudice his testimony, the story was invented that he had asked for subscription from Maqbul Sab. In 1958 (1) LLJ page 58 Thcir Lordships of the Supreme Court have observed :

> " In case of dismissal on misconduct the Tribunal does not however, act as a court of appeal and substitute its own judgment for that of the management. It will interfere
>
> (1) when there is a want of good faith,
>
> (2) when there is victimisation or unfair labour practice,
>
> (3) when the management has been guilty of basic error or violation of a principle of natural justice and
>
> (4) when on the materials the findings is completely baseless or perverse."

The present enquiry does not suffer from any of these defects. On an over-all consideration of the entire material on record, the point of dispute is decided in favour of the II Party.

AWARD

The Management of Sri Siddeshwar Textile Mills, (P) Ltd, Davangere was justified in dismissing Sri Maqbul Sab, T. No. 39, R. F. Sider with effect from 22nd January 1966. He is not entitled to reinststement with back wages and continuity of service. The parties shall bear their own costs.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

Place: Hubli
Dated: 28 10-1967.

ANNEXURE

Reference (ID) (LCH) No. 80 of 1966.

Witnesses examined for I Party

W.W.-1 Maqbul S/o Alisahab

Witnesses examined for II Party

M.W.-1 Hussainsab S/o Khadarsab

Documents marked for I Party

Exhibits :

W-1 Letter dated 19th January 1966 from W. W. 1 to Labour Officer.

Documents marked for the II Party

M-1 File of domestic enquiry

M-1 (a) .Show cause notice dated 14th January 1966

M-1 (b) Application dated 15th January 1966 by W. W. 1 to II Party

M-1 (c) Letter dated 17th January 1966 from W. W. 1 to II Party

M-1 (d) Charge-Sheet dated 18th January 1966

M-1 (e) Proceedings of enquiry held on 20th January 1966

M-1 (f) Statement of Devendrappa

M-1 (g) do Basavaraj

M-1 (h) do Rudrappa

M-1 (i) do Hussainsab

M-1 (j) do Makbulsab

M-1 (k) Finding of the enquiry officer

M-1 (l) Order dated 22nd January 1966 of II Party

M-1 (m) Dismissal order dated 22nd January 1966 of II Pary

M–1 (n) Letter dated 3rd Feburay 66 from I Party to II Party

M–1 (o) Letter dated 11th Feburary 66 from A.L.C. Mysore to II Party

M–1 (p) Letter dated 22nd Feburary 66 from II Party to A.L.C. Mysore.

M-1 (q) Particulars from personnel record of W.W. 1.

M–2 Standing Orders of the Mills dated 29th April 1965.

SYED AZIZUDDIN AHMED
Presiding Officer,
Labour Court, Hubli

Place : Hubli
Date : 28–10–1967

ORDER.

Bangalore, dated 4th November 1967.

S. O. 2166.—WHEREAS by State Government Order No. FCL 399 LLD 66, dated 15th December 1966, the Industrial Dispute between the Workmen and the Management of Sri Siddeswara Textile Mills (P) Ltd., Davanegere was referred to the Labour Court, Hubli for adjudication.

AND WHEREAS, the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FCL 399 LLD 66.]

By Order and in the name of the Governor of Mysore,

1416 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Durga Parameshwari Motor Service, Mangalore.

Award of the Labour Court, Hubli—Published.

Read the following Papers :—

(1) Letter No. 1532/67-68, dated 25th October 1967, from Shri Syed Azizuddin, Ahmed Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI

Dated this 25th day of October 1967.

Reference.

(ID) (LCH) No. 47 of 1967.

Present :

Sri Syed Azizuddin Ahmed, M, A., B. L., Presiding Officer.

Between

The Workmen of Shri Durga Parameshwari Motor Service, Mangalore represented by The Secretary, S. K. Automobile and Engineering Workers, Union, Maidan Cros Road, Mangalore.

.... *I party*

and

The Management, Durga Parameshwari Motor Service, Mangalore.

... *II party*

This is a reference U/s 10 (1) (c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their Order No.

LMA 367 LLD 67, dated 20th June 1967. The points of dispute referred for adjudication are as under:—

I. Are the workmen of Shri Durga Parameshwari Motor Service, Mangalore, entitled for the payment of Bonus for the years 1962-63 and 1963-64?

II. If so to what amount are they entitled to Bonus for the above years?

2. The cause of the aggrieved workmen has been sponsored and espoused by The S. K. Automobile and Engineering Workers' Union, Maidan Road, Mangalore represented by its Secretary. Sri Srinivas appeared for the I Party. There was no one present on behalf of the II Party. Notices were issued to both the parties to file their pleadings but they have failed to do so.

3. When the case was taken up for hearing at Mangalore camp on 18th October 1967, there was no one present on behalf of the parties in the first sitting. In the second sitting Sri Srinivas appeared. When I drew his attention to the fact that no Claim Statement was filled, he replied that the matter was too simple to need a Claim Statement. This is indeed over-simplifying the matter. The points of dispute specified in the order of reference were adopted as issues in the case. There were no witnesses present on behalf of the I party. Sri Srinivas argued the matter impromptu. He stated that the management has made huge profits and they must pay their workmen bonus for the years 1962–63 and 1963–64. I am not at all prepared to give credence to the bald statement of the representative of the I party that the management had made huge profits during the relevent period. In a ruling reported in 1963 (2) LLJ page 608, Their Lordships of the Supreme Court have observed:

> "A claim for bonus for instance is entertained on the grounds of social justice and is not based on any statutory provision. In such a case, it would, no donbt be open to industrial adjudication to have regard to all the relevent considerations before awarding the claim and in doing so if it appears that a claim for bonus was made after long laps of time, industrial adjudication may refuse to entertain the claim or Government may refuse to make reference in that behalf."

The claim for bouns for the years 1962-63 and 1963-64 is not covered by the payment of Bouns Act. The claim is belated. There is no Claim statement laying foundations for the claim. There is no evidence to show that the management had made profits to warrant payment of bonus. The points of dispute are decided against the I party.

AWARD

The reference is rejected. In view of the circumstances, the parties shall bear their own costs.

Place : Hubli.

Date :25-10-1967.

SAYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hdli

ORDER

Bangalore, dated 31st October 1967.

S. O. 2167.—WHEREAS by State Government Order No. LMA 367 LLD 67, dated 20th June 1967; the Industrial Dispute between the Workmen and the Management of Durga Parameshwari Motor Service, Mangalore was referred to the Labour Court, Hubli for adjudication;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FCL 367 LLD 67.]

By Order and in the name of the Governor of Mysore,

1394 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of M/s. Rajesh Trading Co., 23/4, Ganigarpet, C.R. Temple Street, Avenue Road Cross, Bangalore–2.

Award of the Laborr Court, Bangalore—Published.

Read the following papers :—

(1) Letter No. 841/67-68, dated 26th October 1967, from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 26th day of October 1967.

Present

Shri P. T. Kadkol, B. Sc., LL.B., ... Presiding Officer.

Reference, No. 141 of 1967.

Sri. K. S. S. Narasimha, No. 149, Mudaliar Street, Nettakallappa Circle, Bangalore-4. ... ... *I Party.*

Vs.

The Mangement of M/s. Rajesh Trading Co., 23/4, Ganigarpet C. R. Temple Street, Avenue Road Cross, Bangalore-2
... ... *II Party.*

Refernce.

G. O. No. LMA 535 LLD 66, dated 30th November 1966.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/s. Rajesh Trading Co., Bangalore, have referred it to this court for adjudication under Section 10(1) (c) of the Industrial Disputes Act, 1947 by their Order No. LMA 535 LLD 66 Dated 30th

November 1966, setting out the following points of dispute for adjudication .—

> "Whether the Management of the Rajesh Trading Co., 23/4, Ganigarpet, C. R. Temple St., Avenue Road Cross, Bangalore, are justified in terminating the services of Sri. K. S. S. Narasimha, their workman ; if not to what relief the said workman is entitled ?"

2. The aggrieved workman in this dispute is Sri K.S.S. Narasimha and the dispute relates to the termination of his services by the Management of the Establishment, by name Rajesh Trading Company, Bangalore, arrayed as the Second Party in this proceeding. The cause of Narasimha has not been sponsored by any Trade Union. It is also not know whether the other workmen in the Establishment, if any, have supported his cause.

3. Rajesh Trading Company, Bangalore is a proprietory concern, the proprietor being Aravind Keshavalal Dave. The aggrieved workman Narasimha was appointed as a "Travelling Representatives" for the Rajesh Trading Company, by Aravind Dave. The letter of appointment dated 16th September 1964 is at Ex.W.3. According to this letter, the appointment is with effect from 1st Nauember 1964, and subject to the conditions mentionod therein. Accordfng to Narasimha, however, he joined duty some time in Otober 1964 itself. Then on 25th January 1965, Aravind Dave, through his Advocate, issued the Notice Ex.W. 4 (Ex.M. 1 is its copy) to Narasimha, terminating his services with effect from 1st February 1965. He also issued a Printed Public Notice dated 30th January 1965 declaring that Narsaimha had ceased to be his representative as his services had been terminated with effect from 1st February 1965. The Public Notice is at Ex.M.4. After this, Narasimha sent an application dated 25th February 1965, to the Commissioner of Labour, Bangalore, under the Shops and Commercial Establishments Act (Pages 2 to 4 of Ex.W.2), praying for an enquiry into his termination and award of appropriate reliefs. He also filed an application before the authority under the Payment of Wages Act to recover wages of salary due to him. The Commissioner of Labour issued a circular dated 11th May 1966 saying that proceeding pending before him under the Shops and Establishments Act, challenging orders of termination, might be taken up for conciliation under the Industrial Disputes Act, in view of Section 2A thereof and sent its copy to Narasimha (Ex.W.1). Narasimha agreed for conciliation under the Industrial

Dispute Act. Hence the Labour and Conciliation Officer conducted counciliation proceedings between Narasimha and Arvind Dave. The proceedings ended in a failure. The failure report submitted by him is at Page 1 of Ex.W.2. Thereafter, Government have been pleased to refer the dispute to this Court for adjudication.

4. Narasimha has submitted a lengthy claim statement dated 30th December 1965. Leaving aside unnecessary details for the present, the substance of the claim statement is that he (Narasimha) was a permanent employee under Aravind Dave in the Rajesh Trading Company, Aravind Dave has illegally terminated his services; the termination order be set aside and he be reinstated in his former post with full back wages and continuity of service etc.,

5. Aravind Dave has submitted his statement of objections dated 6th February 1967, raising contentions as under :—

> The present dispute is not an industrial dispute ; Narasimha is not a workman as defined in the Industrial Dispute Act ; the business that he is doing is not an industry as defined in the Act ; hence this Court has no jurisdiction to adjudicate upon this dispute ; it is true that he had employed Narasimha ; it is also true that he has terminated his (Narsimha's) service ; he has terminated it for the reasons set out in the written statement ; hence the Reference be rejected with costs, etc.,

6. Narasimha has submitted a statement dated17th February 1967 claiming Rs. 10,000 from Aravind Dav as detailsd therein. Then on 6th March 1967, he has submitted h.. rejoinder to the written statement of Aravid Dave. Therein he has reiterated the averments made by him in the claim statement.

7. On these pleading, the following issues have been framed and set down for hearing :—

1- Do the activities of the Second Party amout to an industry as defined in Section 2 (j) of the Industrial Disputes Act ?
2. Is the aggrieved workman Narasimha, a workman as defined in Section 2 (s) of the Industrial Disputes Act?
3. Is the referred dispute an industrial dispute
4. If not, can this court adjudicate upon this disput?

5. Are the allegations made against the aggrieved workman proved by the Second Party
6. If so, are they sufficient to justify the termination of the services of the aggrieved workman?
7. Is the Mangement guilty of any victimisation or unfair labour practice
8. To what reliefs is the aggrieved workman entitlede?
9. What Award?

Parties were asked to lead evidence on these issues and they have done so. Narasimha has examined himself as W.W.1 and produced four documents marked Exts.W.1 to W.4 and one document marked 'A' for identification. Aravid Dave has examined himself as M.W.1 and produced eight documents marked Exts.M.1 to M.8. This is all the evidence in the case. I now proceed to consider the issues on the basis of the evidence led before me.

8. The most important issue in this case is whether the present dispute is an industrial dispute. It is a jurisdictional issue. It is only if this issue is found in favour of the aggrieved workman, that, the other issue can be gone into and adjudicated upon. Now a dispute be an industrial dispute if it is sponsored by the Trade Union of the workers of the Establishment in question and of which the aggrieved workman is a member. It would also be an industrial dispute if it is sponsored by a general Trade Union of which a substantial or considerable section of the workers of the workers of the said establishment are members and they resolve to support the cause of the aggreived workman. Thirdly, it would also be and industrial dispute, if a considerable or substantial section of the workmen of the concerned Establishment espouse the cause of the aggrieved workman. That an individual dispute becomes an industrial dispute only in the circumstances hmentioned above, as been enunciated by the Supreme Court and all the High Courts, in various decisions. I do not think it necessary to cite them here.

9. Now eomming to the case on hand, it is evident that the present dispute has not been sponsored by any Trade Union, local or general. Narasimha is also not a member of any Trade Union. Hence the present dispute, which is essentially individual at the inception, cannot be treated as having developed itself into an industrial dispute on the ground of its having been espoused by any union of workers. The next

question is, whether it was become an industrial dispute by its having been supported by a substantial or consideration section of co-workers of the same establishment. On this point, Narasimha has stated :—

> " There are two other persons working there (which in the context means, the Rajesh Trading Company), they being one Sweeper and one person sitting at the counter. I do not know the names of those two persons. I do not know if these two persons are still in the service of the second party. These two persons have not supported by cause. I again say that I have not asked them if they support my cause. These two persons stay in the house of Mr. Dave himself. If I examine them, they may depose against me, because they are living with Mr. Dave (*Vide* para 3 ".

The above statement has been made by Narasimha in his examination in chief itself. This means that Narasimha has no evidence to show that the only two other workers in tho Establishment support his cause. Then we find that in the Court of the Authority under the Payment of Wages Act, where Narasimha is proceeding against Aravind Dáve, he has stated :—

" I am the only employee of the Respondent ". So we find that if Narasimha is the only employee in the second party establishment, the present dispute cannot be an industrial dispute as ruled by our High Court in P. M. Murugappa Mudaliar Rathina Mudaliar and Sons—*Vs* Ruju Mudaliar (P) and Others reported in 1965 I LLJ 489. Since the other two workers in the establishment (if they be there) have not espoused the cause of Narasimha, the present dispute cannot be an industrial dispute. If he is the only employee in the Establishment, then too the present dispute cannot be treated as an Industrial Dispute. This would be the position in law.

10. The next question would be whether the present dispute can be considered to be an industrial dispute in view of Section 2A of the Industrial Disputes Act. Section 2A was put on the statute by the Industrial Disputes (Amendment) Act of 1965. This amending Act received the assoent of the President of the Union of India on 19th November 1965. Section 1 (2) of the Amending Act lays down that it would come into force on such date as the Central Government may, by Notification in the official Gazette, appoint. The Central Government published the Notification No.

S. O. 3751 dated 27th November 1965 under Section 1 (2) of the Amending Act. The Notification runs as under :—

> "In exercise of the powers conferred by sub-section (2) of Section 1 of the Industrial Disputes (Amendment) Act, 1965, (35 of 1965), the Central Government hereby appoints the 1st day of December 1965, as the date on which the said Act shall come into force."

This means that Section 2A came into force with effect from 1st December 1965. It runs as under :—

> "Where any employer discharges, dismisses, retrenches or otherwise terminates the services of an individual workman, any dispute or difference between that workman and his employer connected with or arising out of such discharge, dismissal or retrenchment or termination shall be deemed to be an industrial dispute net withstanding that no other workman nor any union of workmen is a party to the dispute"

11. Mr. Narasimha urges that the present dispute shall have to be deemed to be an industrial dispute under Section 2A of the Act. But it should be noted here that Narasimha's service has been terminated with effect from 1st February 1965, whereas Section 2A has come into force an 1st December 1965. So, it follows that, Narasimha can notget the benefit of Section 2A, unless we find that Section 2A is retrospective in effect. According to the general principles of law, all legislations are prespective in effect and operation, unless they are made retrospective specifically are by necessary implication. To find out if the legislation has a retrospective effect, we shall have to examine the language employed by the legislature. The language employed is "when any employer discharges etc.," the dispute "shall be deemed to be an industrial dispute". All these words indicate that the provision is only prospective and not retrospective. If it were the intention of the legislature to make the provision retrospective in effect and operation, it could have said that " when any amployer discharges or has discharged an individual employee " or words to that effect It could have also said "shall be deemed and/or shall be always deemed to have been an industrial dispute " or used words conveing such a meaning. But such words or pharses have not been employed in Section 2A of the Act. Morevoer, Section 1 (2) of the Amending Act says that the amended provision should come into effect on such future date as the Central Government. appoints, Even this

provision indicates that Section 2A was always intended to be prospective—and prospective from the date that the Central Government would appoint at a future date. Hence I am of the view that Section 2A would be appliciable only to cases of discharge, dismissal, retrenchment, termination etc., that take place only on and after 1st December 1965 and would not cover such cases that have taken place prior to that date. It may also be noted that Section 2A of the Act bestows a substantial right to an individual workman, if he is dischared, etc,, to have the dispute adjudicated under the Industrial Dispute Act. This is not merely procedural law. It does not give merely a choice of forum, The rights conferred on a workman under the Industrial Disputes Act, are very much higher than those we gets under the common law of the land. Considering, therefore, all these facts and circumstances, and particularly the language employed by the legislature in Section 2A of the Act, I am of the view that the said section is not at all retrospective but only prospective in effect and operation. Narasimha having been discharged, dismissed, or terminated before 1st December 1965, he can not seek the aid of Section 2A of the Act to say that the present dispute is an industrial dispute.

12. Another question may also have to be considered in this connection. , The present order of Reference has been made by the Government on 30th November 1966. Admittedly Section 2A has come into force on 1st December 1965. Can this dispute be deemed to be an industrial dispute in view of the fact that Section 2A was in force on the date on which the order of Reference was made? The answer to this question also shall have to be in the negative. After all, an order of Reference, shall have to be made by Government on the cause of action accrued to the concerned workman. It shall have to have a direct bearing on the cause of action. If the cause of action has accrued to a workman before the appointes date, that is 1st December 1965, and the legislature has not made Section 2A retrospective in effect and operation, the Government can not give him the right envisaged by this section, by making the Reference under Section 10, on a date subsequent to the appointed date. By making the Reference on a subsequent date, the Government cannot give the workman a right, which Section 2A itself has not given him with respect to a cause of action accrued before 1st December 1965. To so construe the provision would mean, that Government would have powers higher than that of the Legislature. The Government can refer only an

industrial dispute for adjudication under Section 10 of the Act. A duty is cast on the industrial court to examine the question whether the referred dispute is an industrial dispute, whatever be the date of Reference. If the industrial court finds that what is referred to it for adjudication is not an industrial dispute, it can not get jurisdiction to adjudicate upon it. In my opinion, therefore the date of Reference by Government, would not at all be material for the decision of the question whether the dispute referred for adjudication is or is not an industrial dispute.

13 In view of these conclusions reached by me, I hold that the present dispute is not an industrial dispute and hence this court has no jursdication to adjudicate upon it and record my findings on the third and the fourth issues accordingly.

14. In view of my findings on the third and forth issues, I cannot go into or adjudicate upon any of the remaining issues formulated above. The reference requires to be rejected on the ground that the referred dispute is not an industrial dispute.

15 **Hence I proceed to make an Award as under :**

AWARD

This Reference is rejected on the ground that the dispute referred for adjudication is not an industrial dispute and hence this court has no Jurisdiction to adjudicate upon it. I make no order as to costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

'COPY'

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER

Bangalore dated 6th Novemebr 1967.

S. O. 2163.—WHEREAS by State Government Order No. LMA 535 LLD 66, dated 30th November 1966 the Industrial Dispute between the Workmen and the Management of M/s. Rajesh Trading Co., 33/4, Ganigarpet, C. R. Temple Road, Avenue Road Cross, Bangalore-2, was referred to the Labour Court, Bangalore for adjudication.

AND WHEREAS the Labour Court, has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore are pealsed to direct the publication of the said award as above in the *Mysore Gazette*.

[No. LMA 535 LLD 66.]

By Order and in the name of the Governor of Mysore,

1481 G. G. PUROHIT, *Under Secy.*

CORRIGENDUM.

Bangalore, dated 10—13th November 1967.

S. O. 2169.— In Notification No. CI 76 EMI 66, dated 16th January 1967 for "130 Acres (52-61 Hectares) of land in part of F. S. No. 147, 148 and 154" appearing in para 1, the following shall be substituted :

"135 Acres (54.63 Hectares) of land in part of F.S. Nos. 147, 148, 154 and 155".

[No. CI 39 EMI 67.]

By Order and in the name of the Governor of Mysore,

1438 N. NARAYANASWAMY, *Under Secy.*

S. O. 2170.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Soapstone to Messrs. Mysore Minerals Ltd., in the following areas of the Arsikere Taluk, Hassan District, on the terms and conditions mentioned below :—

Village	*S. Nos.*	*Area*
Jadagatta Appenahalli	51,46 and 45 24,25, 21,30 29 and 27	600 Acres (242-81 Hectares).

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and Conditions.

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government ;

2. The licensee shall pay to Government a Prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year ;

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14 (ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in second schedule to the Mines and Minerals (Regulation and Development) Act, 1957 and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other "substance prescribed" under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence;

5 The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957);

6. If any other mineral is traced during the course of prospecting, the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the Licence if the Licensee so desired and to recover the cost of the same from the Licensee;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence;

9 The licensee shall allow any officer authorised by the Central or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him;

10 The licensee shall, before the licence is issued to him, deposits as security a sum of Rs. 200 in respect of

every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically; and

12. The licensee shall not give any ore-raising contract during the prospecting stage;

13. The abovementioned area is subject to verification after actual survey.

[No. Cl 219 EPO 67.]

By Order and in the name of the Governor of Mysore,

1441 N. NARAYANASWAMY, *Under Secy.*

NOTIFICATION

Bangalore, dated 10—13th November 1967

S.O. 2171.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957 and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the said Act, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Manganese and Iron ore to Shri/ P. S. Doddanavar in the following areas of the Supa Taluk, North Kanara District, on the terms and conditions mentioned below:—

Village	*S.Nos.*	*Area*
Vand	F. S. No. 15 and 4	160 Acres (64-75 Hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and Conditions

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government ;

2. The licensee shall pay to Government a prospecting fee of Rs. 2–50 per hectare of the land covered by the licence for each year or portion of a year ;

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14(ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957 and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957);

6. If any other mineral is traced during the course of prospecting, the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central or the State Government to inspect at any time the area covered by the Prospecting Licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically ;

12. The licensee shall not give any ore-raising contract during the prospecting stage ;

13. The above mentioned area is subject to verification after actual survey and ;

14. Subject to the special condition that the licensee shall have no right to claim any compensation from Government if the area gets submerged consquent to the execution of Kalinadi Hydro Electric Project before the expiry of the Prospecting Lincence.

[No. CI 136 EPI 67.]

By Order and in the name of the Governor of Mysore,

N. NARAYANASWAMY, *Under Secy.*

REVENUE SECRETARIAT.

ORDER.

Bangalore, dated 8th November 1967.

S. O. 2172.— In exercise of the powers conferred by clause (*a*) of sub-section (1) of Section 9 of the Mysore Stamp Act. 1957 (Mysore Act 34 of 1957), the Government of Mysore being of the opinion that it is necessary in public interest so to do, hereby remits the duties chargeable under the said Act in respect of the following instrument namely:–

Instrument executed by the widow or/children of a member of the Armed Forces of the Union killed in action subject to the condition that a certificate by the Officer Commanding or the Officiating Officer Commanding of the unit to that effect shall be produced before the registering authority before whom the instrument has to be registered.

[No. RD 94 EST 67].

By Order and in the name of the Governor of Mysore,

1432 A. M. SHYAMPRASAD, *Under Secy.*

EDUCATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated the 14th November 1967.

S. O. 2173.— In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the S. B. V. V. Sangha's S. S. Khuba's Arts College, Basavakalyan, to the Karnatak University, for teaching Pre-University Arts and B. A., Part I courses for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University. The Management must satisfy the University that it will maintain the College without Government Grants. Further, the College must also satisfy Karnatak University before the next financial year regarding its financial soundness.

[No. ED 112 UAC 67.]

By Order and in the name of the Governor of Mysore,

1437 S. N. SREENATH, *Under Secy.*

Agriculture and Forest Secretariat

NOTIFICATION.

Bangalore, dated 21st October 1967.

S. O. 2174.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Bantwal and Belthangady Taluks of South Kanara District, the situation and limits of which are specified in the schedule hereto annexed, as a reserved forests;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of the said section; and

(iii) appoints the Divisional Forest Officers, Mangalore and Coondapur to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner, of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections, 11 12 and 13 of the Said Act.

SCHEDULE.

Name of the District	...	South Kanara.
Name of the Taluks	...	Bantwal and Belthangady.
Name of the Villages.	...	Uli and Tekkar Villages.
Name of the Block	...	Uli Block I.
Survey Field numbers	...	80 of Uli Village and 64/1 of Tekkar Village.
Extent	...	281.80 Acres.

Boundary description.

'Bit–I'

North:—Starting from the station No. 53, a point situated at the newly constructed cairn No. 53, the demarcation line of the proposed bit I of the block runs in North-East direction to station No. 54, a distance of 350 links.

Thence it runs in Eastern direction to station No. 55, a distance of 364 links. From there it runs in South-East direction a distance of 328 links to reach the station No. 57, passing through the intermediate station 56. Thence it runs in almost Southern direction, a distance of 649 links to reach the station No. 61, passing through the intermediate stations 58 to 60. From there it runs in almost South-East direction a distance of 1,114 links to reach the station No. 65, passing through the intermediate stations 62 to 64. Thence it runs in North-East direction to station No. 66, a distance of 214 links. Again it runs in Eastern direction to station No. 67, a distance of 269 links. Thence it runs in South-East direction to station No. 68, a distance of 178 links. Thence it runs in almost North-East direction a distance of 327 links to reach the station No. 70 passing through the intermediate station 69 From there it runs in almost Eastern direction to a distance of 545 links to reach the station No. 72, passing through the intermediate station 71. Thence it runs in almost North-East direction a distance of 467 links to reach the station No. 74, passing through the intermediate station 73. From there it runs in almost Northern direction a distance of 755 links to reach the station No. 77, passing through the intermediate stations 75 and 76. From there it runs in almost North-East direction a distance of 400 links to reach the station No. 79, passing through the intermediate stations 78. Thence it runs in South-East direction to station No. 80, a distance of 251 links. Again it runs in Eastern direction to station No. 81, a distance of 285 links. Thence it runs in almost North-East direction a distance of 867 links to reach the station No. 84, passing through the intermediate stations 82 and 83. Thence it runs in almost South-East direction a distance of 381 links, to reach the station No. 86, passing through the intermediate station 85. Thence it runs in South-West direction a distance of 550 links to reach the station No. 88, passing through the intermediate station 87. From there it runs in Southern direction to station No. 89 a distance of 279 links. From there it runs in South-East direction to station No. 90, a

distance of 279 links. Thence it runs in almost Southern direction a distance of 721 links to reach the station No. 93 passing through the intermediate stations 91 and 92. From there it runs in almost South–East direction a distance of 825 links to reach the station No. 97, passing through the intermediate stations 94 to 96. Thence it runs in almost North–East direction a distance of 941 links to reach the station No. 100, passing through the intermediate stations 98 and 99. From there it runs in North–West direction a distance of 906 links to reach the station No 103, passing through the intermediate stations 101 and 102. From there it runs in almost North-East direction a distance of 508 links to reach the station No. 105, passing through the intermediate station 104. Thence it runs in almost Northern direction a distance of 445 links to reach the station 107, passing through the intermediate station 106. From there it runs in North-East direction a distance of 684 links to reach the station No. 110, passing through the intermediate stations 108 and 109. Thence it runs in Northern direction a distance of 292 links to reach the station No. 111 which is a point situated at the cairn No. 1 of the proposed 'Uli Block II.' There onwards the line runs along the demarcation line of the proposed 'Uli Block II' in almost South–East direction a distance of 611 links to reach the station No. 114, passing through the intermediate stations 112 and 113. From there it leaves the demarcation line of the 'Uli Block II' and runs in South-West direction to station No. 115, a distance of 345 links. There on wards it runs in almost Southern direction distance of 1406 links to reach the station No. 121, passing through the intermediate stations 116 to 120. Thence it runs South–West direction to station No. 122, a distance of 157 links. From there it runs in Southern direction to station No. 123, a distance of 300 links. From there it runs in almost South–East direction a distance of 598 links to reach the station No. 125, passing through the intermediate station 124. Thence it runs in almost Eastern direction to station No. 126, a distance of 247 links. From there it runs in North–East direction to station No. 127, a distance of 350 links. From there it runs in almost North–East direction a distance of 664 links

to reach the station No. 129, passing through the intermediate station 128. Thence it runs in almost Northern direction a distance of 830 links to reach the station No. 132, passing through the intermediate stations 130 and 131.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degree F. B.	Distances in links
1	2	3	4
53	54	55½	350
5	55	95½	364
55	56	135	151
56	57	140	177
57	58	183½	240
58	59	187½	133
59	60	195	124
60	61	205½	152
61	62	106½	293
62	63	128½	368
63	64	101	210
64	65	94½	243
65	66	62½	244
66	67	88½	269
67	68	125	178
68	69	40½	265
69	70	66	62
70	71	84	319
71	72	91	226
72	73	46½	212
73	74	46½	255
74	75	13	250
75	76	2	263
76	77	12	242
77	78	35	190
78	79	26	210
79	80	115	251
80	81	93½	285
81	82	78	223
82	83	70	166

1	2	3	4
83	84	83½	478
84	85	118½	148
85	86	144	233
86	87	211	167
87	88	222½	383
88	89	185½	279
89	90	148	279
90	91	159	223
91	92	172½	266
92	93	152	242
93	94	121	135
94	95	164	172
95	96	153	198
96	97	105	320
97	98	59	200
98	99	66	312
99	100	32	429
100	101	326½	485
101	102	329½	154
102	103	331½	267
103	104	80	149
104	105	69	359
105	106	13	288
106	107	357	157
107	108	44	258
108	109	48	244
109	110	40½	182
110	111	6½	292
111	112	126	166
112	113	13½	292
113	114	116½	153
114	115	240½	345
115	116	206½	190
116	117	184	190
117	118	207	250
118	119	199½	316
119	120	200½	170
120	121	203	290
121	122	231	157
122	123	177½	300
123	124	143½	322
124	125	119	276

1	2	3	4
125	126	81	247
126	127	333½	350
127	128	62	344
128	129	38	320
129	130	350½	340
130	131	359½	270
131	132	26½	220

East :—Thence the demarcation line runs in almost South-East direction a distance of 882 links to reach the station No. 136, passing through the intermediate stations 133 to 135. From there it runs in almost South-West direction a distance of 880 links to reach the station No. 138, passing through the intermediate station 137. Again it runs almost in South-East direction a distance of 1003 links to reach the station No. 140, passing through the intermediate stations 139. From there it runs in almost Southern direction to station No. 141, a distance of 360 links. Therefrom the line runs inalmost South-West direction a distance of 2582 links to reach the station No. 4. passing through the intermediate stations 142 to 3. Thence it runs in almost southern direction a distance of 683 links to reach the station No. 6. passing through the intermediate station No. 5 From there it runs in South-West direction a distance of 415 links to reach the station No. 8, passing through the intermediate station 7. From there it runs in Southern direction to station No. 9, a distance of 300 links.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degree in F. B.	Distance in links.
132	133	111	160
133	134	136	222
134	135	137½	250
135	136	140½	250

1	2	3	4
136	137	228	480
137	138	204	400
138	139	137½	513
139	140	119½	490
140	141	190	360
141	142	213	400
142	143	245	488
143	1	242	739
1	2	251½	476
2	3	225½	268
3	4	212½	211
4	5	174½	98
5	6	165	185
6	7	219	247
7	8	225	168
8	9	190	300

South.—Thence the demarcation line runs in almost Western direction a distance of 805 links to reach the station No. 11, passing through the intermediate station 10. Therefrom it runs in almost North-West direction a distance of 1117 links to reach the station No. 14. passing through the intermediate stations 12 and 13. From there it runs in almost South-West direction to a distance of 1530 links to reach the station No. 19, passing through the intermediate stations 15 to 18. Thence it runs in North-West direction to station No. 20, distance of 246 links Thence it runs in Northern direction to station No. 21, a distance of 256 links. From there it runs in North-East direction to station No. 22 a distance of 740 links. Thence it runs in North-West direction to station No. 23, distance of 365 links. Again it runs in almost North-East direction to station No. 24, a distance of 258 links. Thence it runs in Eastern direction to station No. 25, a distance of 270 links. From there it runs in almost North-East direction a distance of 583 links to reach the station No. 27, passing through the intermediate station 26. Therefrom it runs in almost North-West direction a distance of 1104 links to reach the station No. 30, passing

the intermediate stations 28 and 29. From there it runs in South-West direction to station No. 31, a distance of 337 links. From there it runs in western direction to station No. 32, a distance of 283 links. Therefrom it runs in almost South-West direction a distance of 1032 links to reach the station No. 35 passing through the intermediate stations 33 and 34. Thence it runs in almost Southern direction a distance of 495 links to reach the station No. 37 passing through the intermediate station 36. Thence it runs in South-West direction to station No. 38, a distance of 400 links. From there it runs in almost North-West direction a distance of 462 links to reach the station No. 40 passing through the intermediate Station 39 Again it runs in South-West direction to station No. 41, a distance of 310 links. Again it runs in almost North-West direction a distance of 390 links to reach the station No. 43, passing through the intermediate station 42.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degrees in S. R.	Distances in links
1	2	3	4
9	10	253	163
10	11	274	643
11	12	34 ½	205
12	13	8 7½	574
13	14	331	335
14	15	2 9	2 0
15	16	260	262
6	17	25 ½	333
17	18	207	4.4
18	19	193	211
19	20	812	246
20	21	8 3	256
21	22	17	740
22	23	326	8.5
23	24	3½	2 8
24	25	91½	270
25	26	6 ½	327

1	2	3	4
26	27	36½	256
27	28	325½	277
28	29	3 15½	415
29	30	293	409
30	31	250	337
31	32	267	283
32	33	321½	511
33	34	269	196
34	35	247	291
35	36	1 6	301
36	37	203	195
37	38	257	400
38	39	311½	214
39	40	249	248
40	41	251	317
41	42	297	233
42	43	311	167

West :—Thence the demarcation line runs in almost North-East direction a distance of 1217 links to reach the station station No. 48, passing through the intermediate stations 44 to 47. From there it runs in North-West direction a distance of 9_2 links to reach the station No.50, passing through the intermediate stations 49. Therefrom it runs in almost Northern direction a distance of 1474 links to reach the station 5 , passing through intermediate station 51. From there finally it runs in North West direction a distance of 321 links to reach the station No. 53, which is the starting point of the 'bit 1'.

Bearings and distances from station to station are as follows .—

Station Numbers From	To	Bearings in degree in F. P.	Distance in links
1	2	3	4
43	44	2 ½	158
44	45	17	340
45	46	48½	215

1	2	3	4
46	47	32	161
47	48	90	243
48	49	105	201
49	50	104	721
50	51	346	502
51	52	1/2	912
52	53	295	321

'Bit II'

North.—Starting from the station No. 33, a point situated at the newly constructed cairn No. 34, the demarcation line of the Bit II runs in almost North-East direction in the following bearings a distance of 1574 links to reach the station No. 37, passing through the intermediate stations 34 to 36.

Station Numbers From	To	Bearings in degree in F B.	Distances. in links.
33	34	65	523
34	35	66	900
35	36	39	512
36	37	55	232

East.—Thence the demarcation line of the bit II runs in South-East direction a distance of 142 links to reach the station No. 1, which is a point situated South-West of cairn No. 10, of the bit I at a distance of 2 08 links. From there it continues in almost South-East direction a distance of 1939 links to reach the station No. 5 passing through the intermediate stations 2 to 4. Thence it runs in Southern direction to station No. 6, a distance of 293 links. From there it runs in South-East direction a distance of 542 links to reach the station No. 8, passing through the intermediate station 7 Thence it runs in almost South-West direction, a distance of 554 links to reach the station No. 10, passing through the intermediate station 9.

Bearings and distances from station to station are as follows:—

1	2	3	4
37	1	130	142
1	2	142	320
2	3	130½	378
3	4	146½	4 6
4	5	157½	180
5	6	182	293
6	7	152	3?0
7	8	152	1???
8	9	192½	290
9	10	195½	262

South:—Thence the demarcation line of the bit II runs in North-West direction a distance of 688 links to reach the station No. 12, passing through the intermediate station 11. From there it runs in Northern direction to station No. 13, a distance of 500 links. From there it runs in almost North-West direction a distance of 1126 links to reach the station No. 15, passing through the intermediate station 14. Thence it runs in South-West direction to station No. 16, a distance of 664 links. From there it runs in Southern direction to station No. 17, a distance of 180 links. Thence it runs in almost South East direction a distance of 847 links to reach the station No. 19, passing through the intermediate station 18. From there it runs in South-West direction to station No. 20, a distance of 412 links. Thence it runs in almost Southern direction a distance of 1165 links to reach the station No. 22, passing through the intermediate station 21. Thence it runs in South-East direction to station No. 24, a distance of 342 links From there it runs in South West direction to station No. 24, a distance of 163 links. Therefrom the line runs in almost North-West direction a distance of 1218 links to reach the station No. 27, passing through the intermediate stations 25 and 26.

Bearings and distances from station to stations are follows :—

1	2	3	4
10	11	320½	290
11	12	313	398
12	13	356	500
13	14	332½	456
14	15	3[illegible]6½	[illegible]70
15	16	23[illegible]	664
16	17	18[illegible]	180
17	18	11[illegible]	505
18	19	130½	3[illegible]2
19	20	20[illegible]	412
20	21	16[illegible]	568
21	[illegible]2	177	605
22	23	153½	[illegible]4[illegible]
2[illegible]	24	207½	162
24	25	273	276
[illegible]5	26	290	785
26	27	3 9	1 7

West :—Thence the demarcation line of the bit II runs in Northern direction to station No. 8, a distance of 443 links. From there it runs in almost North-Wes direction a distance of 1092 links to reach the station No. 30, passing through the intermediate station 29. Thence it runs in North-East direction to station No. 31, a distance of 523 links. Again it runs in Northern direction to station No. 32. a distance of 332 links. Again it uns in North-West direction a distance of 320 links to reach the station No. 33, which is the starting point of the bit II.

1	2	3	4
27	28	3½	443
28	29	291½	500
29	30	3 0	692
30	31	37	523
31	32	4	332
32	33	318	320

Starting point of bit II.

Right of ways:

(i) A road enters the bit VI of block between cairn Nos. 33 and 34 and gets bifurcated inside the block. One branch of which comes out, between cairn Nos. 21 and 22 and goes to 'Kadesbwalya'. The other branch comes out between cairn Nos. 31 and 32 and goes near 'Maramada Byle'.

Other Privileges

(a) Free grazing of cattle by villagers.

(b) Free removal of green manure leaves for *bona fide* use by ryots.

(c) Free removal of dry fuel for *bona fide* use by villagers.

[No. AFD 104 FAF 67.]

By Order and in the name of the Governor of Mysore,

1314 M. A. MECCAI, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT.

NOTIFICATION.

Bangalore-1, dated 14th November 1967.

S.O. 2175.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Kyanite to Messrs. Dada Limes and Minerals in the following areas of the Sringeri Taluk, Chikmagalur District, on the terms and conditions mentioned below :—

Village/s.	*S. Nos.*	*Area.*
Kavadi	70	14-38 Acres (5-81 Hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and conditions—

1. The licence shall be operative for a period of Two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government ;

2. The licensee shall pay to Government a prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year ;

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14 (ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in second schedule to the Mines and Minerals (Regulation and Development) Act, 1957, and amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) ;

6. If any other mineral is traced during the course of prospecting, the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the license i- so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central or the State Government to inspect at any time the area covered by the prospecting licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically ; and

12. The licensee shall not give any ore-raising contract during the prospecting stage ;

13. The above mentioned area is subject to verification after actual survey.

[No. CI 215 EPO 67.]

By Order and in the name of the Governor of Mysore,

N. NARAYANASWAMY,
Under Secretary.

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